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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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October 1, 2009	November 2, 2009	November 30, 2009	December 30, 2009
October 15, 2009	November 16, 2009	November 30, 2009	December 30, 2009
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July 1, 2010	August 2, 2010	August 31, 2010	September 30, 2010
July 15, 2010	August 16, 2010	August 31, 2010	September 30, 2010

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

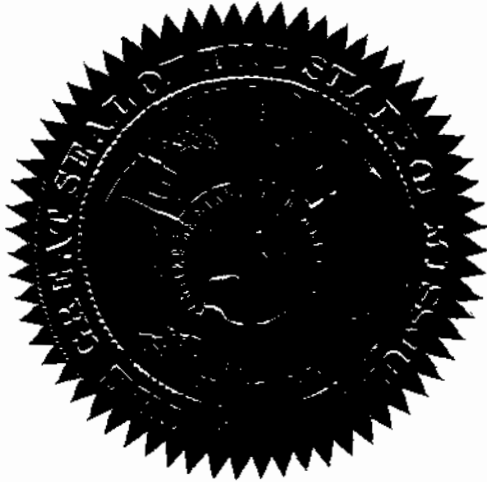
The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2009.

EXECUTIVE ORDER 10-14

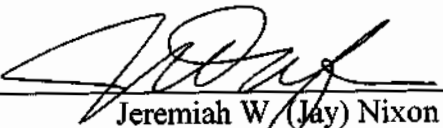
WHEREAS, Section 105.454(5), RSMo, requires the Governor to designate those members of his staff who have supervisory authority over each department, division or agency of the state government.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby designate the following members of my staff as having supervisory authority over the following departments, divisions or agencies:


Office of Administration	Doug Nelson
Department of Agriculture	Jeff Mazur
Department of Conservation	Daniel Hall
Department of Corrections	Edward R. Ardini, Jr.
Department of Economic Development	Doug Nelson
Department of Elementary and Secondary Education	Jeff Harris
Department of Health and Senior Services	Deborah Price
Department of Higher Education	Jeff Harris
Department of Insurance, Financial Institutions and Professional Registration	Mary Nelson
Department of Labor and Industrial Relations	Jeff Harris
Department of Mental Health	Doug Nelson
Department of Natural Resources	Doug Nelson
Department of Public Safety	Edward R. Ardini, Jr.
Department of Revenue	Doug Nelson
Department of Social Services	Jeff Harris
Department of Transportation	Daniel Hall
Missouri Housing Development Commission	Rex Burlison
Boards Assigned to the Governor	Mary Nelson
Unassigned Boards and Commissions	Mary Nelson.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 29th day of January, 2010.


Jeremiah W. (Jay) Nixon
Governor

ATTEST:


Robin Carnahan
Secretary of State

**EXECUTIVE ORDER
10-15**

WHEREAS, the Department of Health and Senior Services is established by Chapter 192, RSMo; and

WHEREAS, the Missouri Department of Transportation is established by Article IV, Section 12, of the Missouri Constitution and Chapter 226, RSMo; and

WHEREAS, Chapters 306 and 577, RSMo, require the Missouri Department of Health and Senior Services to license and regulate the chemical analysis used in determining the alcohol or drug content of motor vehicle and watercraft operators; and

WHEREAS, the Breath Alcohol Program is responsible for performing on-site inspection of breath analyzers, as well as approving permits to operate and maintain evidential breath analyzers; permits to analyze blood, urine, and saliva for drugs; and courses to instruct permit holders in the use of breath analyzer equipment; and

WHEREAS, the Breath Alcohol Program was established to ensure that alcohol and drug testing is conducted in a uniform way throughout the state; and

WHEREAS, pursuant to Sections 26.500-26.540, RSMo, Executive Order 07-05 and Reorganization Plan No. 1, providing for the transfer of the Breath Alcohol Program from the Department of Health and Senior Services to the Missouri Department of Transportation, were filed with the General Assembly and were not disapproved; and

WHEREAS, unforeseen administrative issues made the transfer inefficient and not cost effective; and

WHEREAS, the Department of Health and Senior Services has the necessary expertise to administer the Breath Alcohol Program.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Transportation and the Department of Health and Senior Services to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Breath Alcohol Program from the Missouri Department of Transportation to the Department of Health and Senior Services, by Type I transfer as defined under the Reorganization Act of 1974; and
2. Develop mechanisms and processes necessary to effectively transfer the Breath Alcohol Program to the Department of Health and Senior Services; and
3. Transfer the responsibility for staff support for the Breath Alcohol Program from the Missouri Department of Transportation to the Department of Health and Senior Services; and

4. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective August 28, 2010, unless disapproved within sixty days of its submission to the Second Regular Session of the 95th General Assembly.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 29th day of January, 2010.


Jeremiah W. (Jay) Nixon
Governor

ATTEST:


Robin Carnahan
Secretary of State

**EXECUTIVE ORDER
10-16**

WHEREAS, the Department of Elementary and Secondary Education is established by Chapter 161, RSMo; and

WHEREAS, the Department of Higher Education is established by Article IV, Section 52 of the Missouri Constitution, and Chapter 173, RSMo; and

WHEREAS, the State of Missouri has many higher education grant and scholarship programs administered by several government agencies; and

WHEREAS, this causes difficulty for Missouri students and parents trying to determine how much state aid is available to assist them with higher education expenses; and

WHEREAS, the A+ Schools Program is established by Section 160.545, RSMo, and is currently administered by the Department of Elementary and Secondary Education; and

WHEREAS, the A+ Schools Program (1) provides a mechanism to improve public schools in Missouri and (2) grants scholarships to qualifying Missouri students at community colleges and vocational or technical schools; and

WHEREAS, the functions of executive departments may be reassigned using the procedure set forth in Sections 26.500 through 26.540, RSMo; and

WHEREAS, the public school improvement portion of the A+ Schools Program should continue to be administered by the Department of Elementary and Secondary Education; and

WHEREAS, the Department of Higher Education currently administers the vast majority of state educational grants and scholarships and has significant expertise in all areas of higher education funding; and

WHEREAS, centralizing state grant and scholarship programs in the Department of Higher Education simplifies the process for parents and students applying for various types of financial aid and seeking information about post-secondary education; and

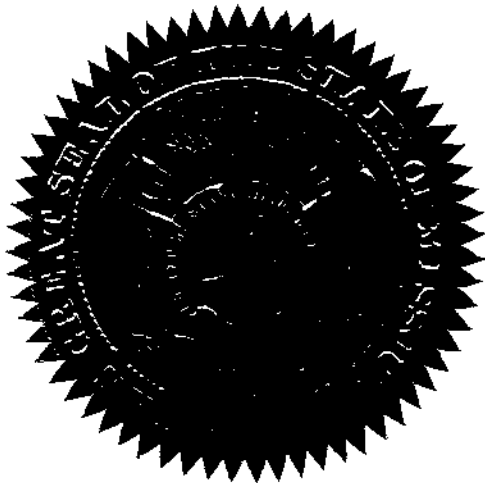
WHEREAS, I am committed to promoting new pathways to higher education and consolidating executive branch operations to ensure that the state delivers vital services as efficiently and effectively as possible.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Department of Elementary and Secondary Education and the Department of Higher Education to cooperate to:


1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the scholarship portion of the A+ Schools Program from the Department of Elementary and Secondary Education to the Department of Higher Education, by Type I transfer as defined under the Reorganization Act of 1974.

2. Develop mechanisms and processes necessary to effectively transfer the scholarship portion of the A+ Schools Program to the Department of Higher Education;
3. Transfer the responsibility for staff support for the scholarship portion of the A+ Schools Program from the Department of Elementary and Secondary Education to the Department of Higher Education;
4. Ensure the continued administration of the school improvement portion of the A+ Schools Program by the Department of Elementary and Secondary Education.
5. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation.

This Order shall become effective August 28, 2010, unless disapproved within sixty days of its submission to the Second Regular Session of the 95th General Assembly.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 29th day of January, 2010.


Jeremiah W. (Jay) Nixon
Governor

ATTEST:


Robin Carnahan
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 7—Entrepreneurial Development Council**

PROPOSED RULE

4 CSR 85-7.010 Entrepreneurial Development Council

PURPOSE: This rule establishes the terms for members of the Entrepreneurial Development Council, sets the initial registration fee for the council, and describes the council's powers and duties.

(1) Definitions. The following terms have the following meanings for purposes of this rule:

(A) "Council" shall mean the Entrepreneurial Development Council established by section 620.050, RSMo.

(B) "Fund" shall mean the Entrepreneurial Development and Intellectual Property Right Protection Fund established in the state treasury.

(2) The Council.

(A) The council shall consist of seven (7) members who are either licensed attorneys with specialization in intellectual property matters or representatives of businesses located within the state. Initially, the governor shall appoint one (1) member for a one (1)-year term beginning July 1, 2010, and ending June 30, 2011; two (2) members for a two (2)-year term beginning July 1, 2010, and ending June 30, 2012; two (2) members for a three (3)-year term beginning July 1, 2010, and ending June 30, 2013; and two (2) members for a four (4)-year term beginning July 1, 2010, and ending June 30, 2014. Thereafter, the governor shall appoint members for a four (4)-year term, except that all vacancies shall be filled for unexpired terms for the same periods as set by the original appointments.

(B) The council shall hold at least four (4) meetings each year, at times and places fixed by the council, for the purpose of administering and performing the duties and powers charged to it. Other meetings may be held at times and places on the call of the council's chairperson.

(C) For all matters, motions, or questions pending before the council, the council must vote, and a quorum of council members must be present in order for a vote to occur. Four (4) voting members shall constitute a quorum. In order to make a decision or act on any matter, motion, or question pending before the council, a simple majority of voting council members must vote in favor of the decision or action.

(D) At its first regular meeting, the council shall elect a chairperson to serve a term of one (1) year. Each chairperson shall serve a term of one (1) year, but chairpersons may be elected to successive terms. The chairperson shall be the administrative and executive officer of the council and it shall be his or her duty to supervise and expedite the work of the council. Upon the expiration of the chairperson's term, whether or not he or she is reappointed, or upon the chairperson not being able to complete his or her term, the council shall elect a chairperson at its next regular meeting.

(3) Registration Fee.

(A) Every entrepreneur of this state who desires to avail himself or herself of the benefits provided by the council must register with the council and must pay an annual registration fee. The initial registration fee shall be one hundred dollars (\$100). On an ongoing basis, the council shall gather empirical data and evidence concerning council costs in the past, as well as anticipated costs in the future, and may annually set the registration fee in an amount it believes will be sufficient to cover such costs. The annual registration fee shall be the same for all entrepreneurs.

(B) All fees received by the council shall be deposited in the state treasury and shall be credited toward the fund. All administrative costs and expenses of the council shall be paid from the fund.

(4) Low-Interest Loans and Grants to Registered Entrepreneurs.

(A) For the purpose of providing financial aid for product development, manufacturing, and advertising of new products, the council may allocate grants and low-interest loans to registered entrepreneurs to provide financial assistance for product development, manufacturing, and advertising of new products. The determination of whether a registered entrepreneur needs assistance from the council and the fund for product development, manufacturing, and advertising of new products, and any resulting allocation the council makes to registered entrepreneurs in connection with product development, manufacturing, and advertising of new products, shall be at the council's sole discretion based upon 1) the entrepreneur's demonstrated financial need and 2) the product's likely commercial success.

However, in no event may the council allocate more than ten thousand dollars (\$10,000) per year to any single registered entrepreneur for his or her product development, manufacturing, or advertising expenses.

(B) The allocation of what percentage of moneys in the fund shall be used for grant awards, low-interest loans, and other forms of financial assistance for the purpose of product development, manufacturing, or marketing expenses shall be at the council's sole discretion.

AUTHORITY: section 620.050, RSMo Supp. 2009. Original rule filed Jan. 27, 2010.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule could cost private entities two thousand dollars (\$2,000) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Economic Development, Room 680, Truman State Office Building, 301 West High Street, Jefferson City, Missouri 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Title 4 – Department of Economic Development
Division Title: Division 85 – Division of Business and Community Services
Chapter Title: Chapter 7 – Entrepreneurial Development Council**

Rule Number and Title:	4 CSR 85-7.010 Entrepreneurial Development Council
Type of Rulemaking:	Proposed

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
The Department of Economic Development estimates that twenty entrepreneurs will register with the Entrepreneurial Development Council established by section 620.050, RSMo (the "Council").	Entrepreneurs that desire to avail themselves of the benefits provided by the Council (Registration fee initially @ \$100 per entrepreneur subject to possible annual adjustments in the discretion of the Council).	Assuming that twenty entrepreneurs register with the council, the cost will be \$2,000 in the aggregate.

III. WORKSHEET

See table above.

IV. ASSUMPTIONS

1. Pursuant to section 620.050.2, RSMo, the Council shall, as provided by department rule, impose a registration fee sufficient to cover costs of the program for entrepreneurs of this state who desire to avail themselves of benefits, provided by the Council, to registered entrepreneurs.
2. The Department estimates that twenty entrepreneurs will register with the Entrepreneurial Development Council. Since the initial registration fee is set at \$100, the total cost of compliance with the rule by all those registered entrepreneurs would be \$2,000.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 50—Division of School Improvement
Chapter 350—State Programs**

PROPOSED RULE

5 CSR 50-350.050 Persistence to Graduation Program Grants

PURPOSE: This rule is to establish procedures for section 160.950, RSMo, pertaining to grants to schools for the establishment of drop-out prevention programs.

(1) The State Board of Education (board) will authorize two (2) types of grants: competitive, first-year grants and noncompetitive continuation grants for second, third, fourth, and fifth year of funding (maximum funding of five (5) consecutive years).

(2) Eligible applicants shall include school districts that have student populations of which sixty (60) percent or greater is eligible for free and reduced lunch on the last Wednesday in January for the preceding school year.

(3) Annually, a request for proposal shall be developed by the Department of Elementary and Secondary Education (department) for dissemination to the public schools. The request for proposal shall contain the following:

- (A) The maximum grant amounts;
- (B) The date upon which applications shall be due;
- (C) The grant application forms; and
- (D) Program criteria upon which the grants will be evaluated.

(4) Proposals for Persistence to Graduation Grants that demonstrate the following will be given preference for approval:

(A) A comprehensive, holistic approach to drop-out prevention directed at a broad array of students, pre-kindergarten through early adulthood;

(B) A collaborative approach between the school district and various community organizations, including nonprofit organizations, law enforcement agencies, and other approved public and private institutions, to deliver proven, research-based intervention strategies;

(C) Activities and early intervention strategies, including family engagement, early childhood education, early literacy development, family literacy, and mental health detection and treatment;

(D) Implementation or augmentation of core drop-out prevention strategies that include mentoring, tutoring, alternative schools, and before- and after-school programs;

(E) Implementation of early intervention strategies for students who display strong indicators that they will not persist to graduation; and

(F) A student-centered approach whereby activities are designed to meet the particular needs of individual students.

(5) Recipients of grants may obligate grant funds only during the period which begins on the date the department approves an application and ends on the following June 30. Obligations are considered to have been incurred as follows: for equipment and supplies; when the recipient makes a binding commitment to acquire the equipment and supplies, such as the issuance of a purchase order or its equivalent; or for personal services, when the services are performed. All obligations for the purchase of equipment must be incurred by March 31 of the grant period and liquidated by June 30. Any funds not properly obligated for approvable project costs are refundable to the department.

(6) Allowable costs for grants will be determined on the basis of the reasonable and necessary costs of implementing approved project activities.

(7) The grant recipients will keep records according to generally accepted accounting principles and will provide any information necessary for fiscal and program auditing. All such records and supporting documents will be retained in accordance with current state and federal laws and regulations.

(8) Grant recipients for each year of grant funding shall file the following information, using the department's required forms and/or formats for reporting the results of financial and program activities conducted during the preceding grant period:

- (A) A mid-year progress report due January 31;
- (B) A final expenditure report due May 15;
- (C) An end-of-year program evaluation narrative due June 30; and
- (D) A final program evaluation report due September 30 of the year following the fifth and/or final year of grant funding.

(9) The department may cease to award payments to any district if the department determines the district's drop-out prevention program is deemed ineffectual. Any decision to discontinue payments of such funds shall be presented to the applicable district in writing at least thirty (30) days prior to the cessation of funds.

(10) If the department, based on its own findings or those of an independent auditor, determines that an applicant has misspent, misapplied, or otherwise used funds under this program in violation of any applicable regulation or statutory provision, the applicant will be required to refund to the department the amount determined to have been improperly expended. If the applicant does not refund the money within a reasonable time after requested to do so, the department may adjust payments due the applicant under other programs administered by the department.

AUTHORITY: sections 160.950 and 161.092, RSMo Supp. 2009. Original rule filed Feb. 1, 2010.

PUBLIC COST: This proposed rule will cost the Department of Elementary and Secondary Education in the aggregate of one hundred sixteen thousand six hundred twenty-three dollars (\$116,623) for Fiscal Year 2010; one hundred thirty-seven thousand eight hundred fourteen dollars (\$137,814) for FY 2011; and one hundred forty-one thousand nine hundred forty-seven dollars (\$141,947) for FY 2012. These grants are subject to legislative appropriation. There are currently no funds appropriated for this program.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, ATTN: Stan Johnson, Assistant Commissioner, Division of School Improvement, PO Box 480, Jefferson City, MO 65102-0480. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Elementary and Secondary Education**
Division Title: School Improvement
Chapter Title: State Programs

Rule Number and Name:	5 CSR 50-350.050 Persistence to Graduation Program Grants
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Dept. of Elementary and Secondary Ed.	FY2010 - \$116,623; FY2011 - \$137,814; FY2012 - \$141,947 Grants authorized under this rule are subject to legislative appropriation. There are currently no funds appropriated for this program.
Participating School Districts	

III. WORKSHEET

	2010	2011	2012
Salary (Supervisor)	44,960	55,570	57,237
Benefits	21,851	27,007	27,817
Salary (Admin Asst I)	27,089	33,482	34,486
Salary Benefits	13,165	16,272	16,760
EE	9,558	5,483	5,647
	<u>116,623</u>	<u>137,814</u>	<u>141,947</u>

IV. ASSUMPTIONS

1 Supervisor; 1 Administrative Assistant; (to include Salary, Benefits and E&E)

Number of school districts who have 60% of more of students eligible for free/reduced price lunch = 168

Grants authorized under 5 CSR 50-350.050 are subject to legislative appropriation. There are currently no funds appropriated for this program. Costs associated with the program would vary based upon the project design, the inventions proposed by the grant application, and the size of the targeted student population.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.200 Application for Certificate of License to Teach. The State Board of Education is adding a new section (9); renumbering sections (9), (10), and (11); and amending section (1) and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment adds the certificate area of Personal Finance as directed in Senate Bill 291 under section 168.021, RSMo.

(1) An applicant for a Missouri certificate of license to teach who possesses good moral character and has successfully completed a state-approved teacher preparation program or earned a doctoral degree may be granted an initial Missouri certificate of license to teach in their major area of study subject to the specific certification requirements found in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009] January 2010), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

(9) An applicant for an initial Missouri certificate of license to teach in the area of personal finance, banking, or financial responsibility who has earned a bachelor's degree, or higher degree, from an institution of higher education accredited by a regional accreditation agency including but not limited to North Central Association of Colleges and Schools must comply with the following additional criteria:

(A) The applicant must provide documentation of a valid degree being conferred and achieve a score equal to or in excess of the qualifying score on the Praxis II assessment designated by the board. The official score report shall be submitted to DESE;

(B) Comply with the specific professional experience requirements as set forth in the compendium; and

(C) The applicant may only be granted an initial professional classification (IPC) level of certificate of license to teach in the field of personal finance. The applicant will not be eligible for tenure and will be required to complete an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time.

~~[(9)]~~(10) Additional certificates of license to teach may be granted as follows:

(A) The applicant may take the appropriate content knowledge or specialty area exit assessment(s) for certification and must achieve a score equal to or in excess of the qualifying score on the content knowledge or specialty area exit assessment(s) as defined in the rules promulgated by the board; or

(B) If the board has not designated a content knowledge or specialty area exit assessment(s) for a particular certification area or grade level or the applicant chooses not to take the appropriate content knowledge or specialty area exit assessment(s), the applicant must meet the certification standards for the area of certification as set forth in the compendium.

~~[(10)]~~(11) Following review by DESE, the applicant shall be informed in writing of the decision regarding the application for a certificate of license to teach.

~~[(11)]~~(12) The holder of a certificate of license to teach shall ensure that DESE has their current legal name and address.

(A) A holder of a certificate of license to teach whose name is changed shall notify DESE within ninety (90) days of the name change and provide a copy of the appropriate documents verifying the name change.

(B) A holder of a certificate of license to teach whose address has changed shall inform DESE in writing of the change within ninety (90) days of the effective date of the change.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000 and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. [2008] 2009. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@desse.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.220 Application for Certificate of License to Teach for Administrators. The State Board of Education is amending section (1) and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas.

(1) An applicant may be granted an administrator certificate of license to teach in the following areas subject to the specific certification requirements found in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule, and criteria established in the rules promulgated by the State Board of Education (board), to an individual who possesses good moral character. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009] January 2010), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions:

AUTHORITY: sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. [2008] 2009 and sections 168.011, 168.405, and 168.409, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.260 Temporary Authorization Certificate of License to Teach. The State Board of Education is amending subsection (7)(D) and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas.

(7) The applicant for a temporary authorization certificate (excluding a temporary authorization administrator's and/or career education certificate) must comply with the following criteria:

(D) If this is the applicant's initial certificate of license to teach, documentation of a plan of study based upon required certification competencies incorporated in classes provided by an accredited college or university. If the applicant holds an initial Missouri professional or life certificate of license to teach and is seeking an additional certificate of license to teach, a transcript analysis from DESE based on the requirements set forth in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule, must be submitted. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009] January 2010), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 161.092, 168.021, 168.071, 168.081, and 168.083, RSMo Supp. [2008] 2009 and section 168.011, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.270 Application for a Career Education Certificate of License to Teach. The State Board of Education is amending section (5) and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas.

(5) The applicant must comply with the specific requirements for the various career education certificates of license to teach as set forth in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009] January 2010), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 161.092, 168.021, 168.071, and 168.081, RSMo Supp. [2008] 2009 and section 168.011, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.280 Application for an Adult Education and Literacy Certificate of License to Teach. The State Board of Education is amending section (5) and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas.

(5) The following AEL professional classification certificates of license to teach may be issued and renewed as set forth in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009] January 2010), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions:

AUTHORITY: sections 161.092, 168.021, 168.071, and 168.081, RSMo Supp. [2008] 2009 and section 168.011, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 80—Teacher Quality and Urban Education Chapter 800—Educator Certification

PROPOSED AMENDMENT

5 CSR 80-800.290 Application for Substitute Certificate of License to Teach. The State Board of Education is amending section (1), adding new sections (2) and (3), and renumbering current sections (2) and (3).

PURPOSE: This amendment clarifies the college coursework acceptable for substitute teacher licensure and opens a pathway for substitute teaching in the career/technical fields. It also increases the length of the certificate of license to teach to four (4) years.

(1) An applicant for a substitute Missouri certificate of license to teach who has successfully completed sixty (60) semester hours or more of credit in the content areas (e.g., communication arts, science, mathematics, social studies, fine arts, business, agriculture, engineering, family consumer sciences and health, or education) from an academic degree granting institution which is contained within the United States Department of Education's *Directory of Post-Secondary Institutions*, or approved by the commissioner of

education, and possesses good moral character may be granted a substitute Missouri certificate of license to teach for [the] a period of [August 1 to July 31] four (4) years. [Applicants may reapply through the school district for another substitute certificate of license to teach pursuant to the rules promulgated by the State Board of Education (board).]

(2) An applicant for a career/technical substitute Missouri certificate of license to teach who has successfully completed:

(A) A bachelor's degree in an area appropriate for the career/technical area sought and four thousand (4,000) hours of locally approved, related occupational experience; or

(B) An associate's degree in an area appropriate for the career/technical area sought and five thousand (5,000) hours of locally approved, related experience; or

(C) Six thousand (6,000) hours of locally approved, related occupational experience; or

(D) Approved by the commissioner of education and possesses good moral character may be granted a career/technical substitute Missouri certificate of license to teach for a period of four (4) years.

(3) An applicant for a substitute Missouri certificate of license to teach who holds a valid Missouri certificate of license to teach in a content or career/technical area; or approved by the commissioner of education and possesses good moral character may be granted a substitute Missouri certificate of license to teach for a period of four (4) years. Applicants may renew the substitute certificate of license to teach by completing a new fingerprint report every four (4) years or when employed by a new school district's required fingerprinting.

[(2)](4) Applications for a substitute Missouri certificate of license to teach [(including the background check or fingerprint request)] shall be [submitted] confirmed by the hiring school district [through the Internet] in a manner designated by the Department of Elementary and Secondary Education (DESE).

[(3)](5) An application is not considered officially filed with the State Board of Education (board) until it has been determined by the board or DESE staff to be complete and the application is submitted on the forms provided by the board, signed, and accompanied by two (2) full sets of fingerprints with the appropriate fee as set by the Missouri State Highway Patrol (Highway Patrol) and/or Federal Bureau of Investigation (FBI) and any other applicable forms and/or fees. All information should be received by the board within ninety (90) days of the date of the application.

(A) The applicant is responsible for submitting the fingerprints in the manner acceptable to the Highway Patrol and/or FBI and the payment of any fees required by the Highway Patrol and/or FBI.

AUTHORITY: sections 161.092, 168.021, 168.071, and 168.081, RSMo Supp. [2004] 2009 and section 168.011, RSMo 2000. Emergency rule filed July 30, 1999, effective Aug. 9, 1999, expired Jan. 26, 2000. Original rule filed July 30, 1999, effective Feb. 29, 2000. Amended: Filed Sept. 12, 2003, effective April 30, 2004. Amended: Filed June 30, 2005, effective Jan. 30, 2006. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the

Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

**Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.350 Certificate of License to Teach Content Areas.

The State Board of Education is amending section (2), Appendix A, and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas and corrects typographical errors.

(2) Certificates of license to teach are issued and renewed by the State Board of Education (board) pursuant to the certification requirements found in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule, and the rules promulgated by the board in the specialized areas as follows. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009/January 2010]), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

(D) Secondary education, grades 9–12 in the following areas:

1. Agricultural education;
2. Art;
3. Business education;
4. English;
5. Health;
6. [Industrial technology] Technology and Engineering;
7. Journalism;
8. Mathematics;
9. Physical education;
10. Science: biology;
11. Science: chemistry;
12. Science: earth science;
13. Science: general science;
14. Science: physics;
15. Social science;
16. Speech/theatre;
17. Unified science: biology;
18. Unified science: chemistry;
19. Unified science: earth science; and/or
20. Unified science: physics;

(E) Special education in one (1) or more of the following areas:

1. Blind and partially sighted, birth–grade 12;
2. Deaf and hearing impaired, birth–grade 12;
3. Early childhood special education, birth–grade 3;
4. *Mild/moderate behavioral disordered, grades K–12 to be discontinued 8-15-2005;*
5. *Mild/moderate cross-categorical, grades K–12; and/or*
6. *Mild/moderate learning disabled, grades K–12 to be discontinued 8-15-2005;*
7. *Mild/moderate mentally handicapped, grades K–12 to be discontinued 8-15-2005;*

8. *Mild/moderate physical and/or other health impairments, grades K–12 to be discontinued 8-15-2005; and/or*
9. *Severely developmentally disabled, birth–grade 12;*

**Appendix A—Career Education
Certificates**

Agricultural Education

- Agricultural Business
- Agricultural Education
- Agricultural Mechanics
- Agricultural Processing
- Agricultural Production
- Agricultural Resources
- Agricultural Services/Supplies
- Forestry
- Horticulture

Business Education

- Career Business Education

Family, Consumer Science, and Human Services

- Apparel and Textiles
- Career Family and Consumer Science
- Cosmetic Services, Other
- Cosmetologist**
- Culinary Arts
- Dietetic Services

Family and Consumer Sciences Related Careers Cooperative Education

- Food and Beverage/Restaurant Operations Manager
- Food Production, Management, and Related Services
- Hospitality Administration/Management, General
- Housing and Home Environments
- Human Development/Adult Development and Aging*
- Human Development/Child Care
- Massage Therapy**

**Requires Associates Degree*

***Requires Professional Licensing*

Health Sciences

- Dental Assistant*
- Dental Hygienist*
- Dental Laboratory Technician
- Diagnostic Medical Sonography Technician*
- Emergency Medical Technology/Technician*
- Funeral Service and Mortuary Science*
- [Health Aide (Health Services Assistant) *]
- Health Professions and Related Sciences, Other
- Health Unit Coordinator/Ward Clerk
- Licensed Practical Nursing (LPN Training)*
- Medical Assistant*
- Medical Laboratory Assistant*
- Medical Laboratory Technician*
- Medical Radiologic Technology/Technician*
- Medical Record Technology/Technician (Health Information Technology)*
- Medical Transcription*
- Nursing Assistant/Aide*
- Nursing, Other*
- Occupational Therapy Assistant*
- Pharmacy Technician/Assistant*
- Physical Therapy Assistant*
- Registered Nursing (RN Training)*
- Respiratory Therapy Technician*

- Sign Language Interpreter*
- Surgical/Operating Room Technology*

Marketing Education

- Marketing

[Technology and Engineering] Skilled Technical Sciences

- Aircraft Mechanic/Technician, Airframe*
- Aircraft Mechanic/Technician, Powerplant*
- Architectural Engineering Technology/Technician
- Auto/Automotive Body Repairer
- Auto/Automotive Mechanic/Technician
- Automotive Engineering Technology/Technician
- Aviation Management
- Aviation Systems and Avionics Maintenance Technologist/Technician*
- Biomedical Engineering-Related Technology/Technician
- Building/Property Maintenance and Manager
- Cabinet Maker and Millworker
- Carpenter
- Cartography
- Chemical Technology/Technician
- Civil Engineering/Civil Technology/Technician
- Commercial Photography
- Communications Systems Installer and Repairer
- Computer Installer and Repairer
- Computer Maintenance Technology/Technician
- Construction Equipment Operator
- Construction/Building Technology/Technician
- Diesel Engine Mechanic and Repairer
- Drafting, General
- Electrical and Electronics Equipment Installer and Repairer, General
- Electrical and Power Transmission Installer, General
- Electromechanical Technology/Technician
- Fire Protection and Safety Technology/Technician
- Fire Science/Firefighting
- Graphic and Printing Equipment Operator, General
- Graphic Design, Commercial Art, and Illustration
- Heating, Air Conditioning, and Refrigeration Mechanic and Repairer
- Heavy Equipment Maintenance and Repairer
- Industrial Design
- Industrial Electronics Installer and Repairer
- Industrial Machinery Maintenance and Repairer
- Instrumentation Technology/Technician
- Ironworking/Ironworker
- Laser and Optical Technology/Technician
- Law Enforcement/Police Science
- Machinist/Machine Technologist
- Major Appliance Installer and Repairer
- Manufacturing Technology
- Marine Maintenance and Ship Repairer
- Mason and Tile Setter
- Mechanical Engineering/Mechanical Technology/Technician
- Motorcycle Mechanic and Repairer
- Nuclear Engineering Technology/Technician
- Occupational Safety and Health Technology/Technician
- Painter and Wall Coverer
- Pipefitting/Pipefitter and Sprinkler Fitter
- Plumbing Technology/Plumber
- Quality Control Technology/Technician
- Radio and Television Broadcasting Technology/Technician
- Robotics Technology/Technician
- Sheet Metal Worker
- Small Engine Mechanic and Repairer
- Truck, Bus, and Other Commercial Vehicle Operator
- Upholsterer

- Water Quality and Wastewater Treatment Technology/Technician
- Welder/Welding Technologist

* Requires Professional Licensing

AUTHORITY: sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. [2008] 2009 and section 168.011, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

PROPOSED AMENDMENT

5 CSR 80-800.360 Certificate of License to Teach Classifications.
The State Board of Education is amending sections (1), (7), and (17), and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas and extends the substitute certificate to four (4) years of validity.

(1) Certificates of license to teach are issued and renewed by the State Board of Education (board) pursuant to the certification requirements found in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule, and the rules promulgated by the board. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised [April 2009] January 2010), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

(7) Career Continuous Professional Classification (CCPC):

(C) The CCPC holder is exempt from the fifteen (15) contact hours of professional development, if the holder has a local professional development plan in place with the school and at least two (2) of the following:

1. Ten (10) years of state-approved teaching experience;
2. A master's degree from an accredited college or university; and/or
3. Certification from the National Board for Professional Teaching Standards, or for school psychologists, the certificate of nationally certified school psychologist issued by the National

Association of School Psychologists (NASP), or for speech-language pathologists, the certificate of clinical competence in speech-language pathology issued by the American Speech-Language-Hearing Association (ASHA).

(17) Substitute certificates of license to teach may be issued to an individual for *[one (1)]* **four (4)** years pursuant to the requirements found in the compendium and the rules promulgated by the board.

AUTHORITY: sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. [2008] 2009 and sections 168.011, 168.128, 168.405, and 168.409, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 80—Teacher Quality and Urban Education Chapter 800—Educator Certification

PROPOSED AMENDMENT

5 CSR 80-800.380 Required Assessments for Professional Education Certification in Missouri. The State Board of Education is amending subparagraph (1)(A)2.B., Appendix A, and the *Compendium of Missouri Certification Requirements*, which is incorporated by reference.

PURPOSE: This amendment incorporates changes in the compendium to update certification requirements for various certification areas and corrects typographical errors.

(1) Each applicant seeking a Missouri certificate of license to teach will successfully complete an exit assessment to measure the applicant's competency in subject matter, pedagogical knowledge, or both, prior to being granted the certificate. An exemption exists if the applicant holds a valid certificate of license to teach from another state.

(A) The State Board of Education (board) has selected the Praxis II: Content Knowledge or Specialty Area assessments and the Principles of Learning and Teaching assessments developed by the Educational Testing Service (ETS) as the exit assessments for certificates of license to teach. Qualifying scores are established by the board and published by ETS for each assessment designated for an area of certification.

1. Applicants seeking initial certificates of license to teach must complete and achieve a Missouri qualifying score in the content knowledge or specialty area assessment in their major area of preparation or the appropriate principles of learning and teaching assessment if no content knowledge or specialty area assessment is designated, except in the areas of special education, student services, and

administration (see Appendix A, which is included herein).

2. Applicants holding a valid Missouri professional or life certificate of license to teach in a content area who are seeking an additional certificate(s) of license to teach in another content area(s), will receive the additional certificate(s) upon meeting either of the following conditions:

A. Complete and achieve a Missouri qualifying score for the Praxis II content knowledge or specialty area assessment designated for the certificate of license to teach, except for the areas of unified science, special education other than mild/moderate cross-categorical disabilities, student services, administration, career education, and adult education and literacy; or

B. Successfully complete the applicable certification requirements as set forth in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised *[April 2009]* **January 2010**), may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

3. Applicants holding a valid Missouri professional or life certificate of license to teach in a secondary content area who are seeking additional certification for middle school in the same content area will receive the additional certification upon meeting either of the following conditions:

A. Complete and achieve a Missouri qualifying score for the Praxis II: Principles of Learning and Teaching, grades five through nine (5–9), assessments; or

B. Successfully complete the applicable certification requirements for middle school education, grades five through nine (5–9), as set forth in the compendium.

APPENDIX A
ASSESSMENTS DESIGNATED FOR CERTIFICATION IN MISSOURI

The Praxis® assessments listed below have been designated by the State Board of Education to fulfill the assessment requirement for certification in Missouri. The assessments are listed beside the certificates to which they correspond.

<u>Missouri Certificate of License to Teach</u>	<u>Test Code</u>	<u>Designated Assessment</u>
Early Childhood Education, Birth–Grade 3	0021	Education of Young Children
Early Childhood Special Education, Birth–Grade 3	0690	Special Education: Preschool/Early Childhood
Elementary Education, Grades 1–6	0011	Elementary Education: Curriculum, Instruction, and Assessment
Middle School Education, Grades 5–9	—	—
Language Arts	0049	Middle School English—Language Arts
Mathematics	0069	Middle School Mathematics
Science	0439	Middle School Science
Social Science	0089	Middle School Social Studies
Other Middle School Subject Areas	0523	Principles of Learning and Teaching, Grades 5–9
Secondary Education, Grades 9–12 (except as noted)	—	—
Agriculture	0700	Agriculture
Art K–12, 9–12	0133	Art: Content Knowledge
Business Education	0100	Business Education
English	0041	English Language, Literature, and Composition: Content Knowledge
Family, Consumer Science, and Human Services	0121	Family and Consumer Science
Foreign Language: K–12	—	—
French K–12	0173	French: Content Knowledge
German K–12	0181	German: Content Knowledge
Spanish K–12	0191	Spanish: Content Knowledge
Health K–12, 9–12	0550	Health Education
Industrial Technology	0050	Technology Education
Library Media Specialist, K–12	/0310/ 0311	Library Media Specialist
Marketing Education	0561	Marketing Education
Mathematics	0061	Mathematics: Content Knowledge
Music: Instrumental, Vocal K–12	0113	Music: Content Knowledge
Physical Education K–9, K–12, 9–12	0091	Physical Education: Content Knowledge
Science:	—	—
Biology	0235	Biology: Content Knowledge
Chemistry	0245	Chemistry: Content Knowledge
Earth Science	0571	Earth and Space Science: Content Knowledge
General Science	0435	General Science: Content Knowledge
Physics	0265	Physics: Content Knowledge
Social Science	0081	Social Studies: Content Knowledge
Special Education, K–12	—	—
Blind and Partially Sighted ¹	0280	Teaching Students with Visual Impairments
Deaf and Hearing Impaired ¹	0271	Education of Deaf and Hard of Hearing Students
Mild-Moderate Cross-Categorical Disabilities	0353	Education of Exceptional Students: Core Content Knowledge
	and	
	0542	Education of Exceptional Students: Mild to Moderate Disabilities
Severely Developmentally Disabled ¹	0353	Education of Exceptional Students: Core Content Knowledge
	and	
	0544	Education of Exceptional Students: Severe to Profound Disabilities
Speech/Theatre	0220	Speech Communication
Speech and Language Pathologist K–12 ³	0330	Speech-Language Pathology
Unified Science ²	—	—
Biology	0235	Biology: Content Knowledge
Chemistry	0245	Chemistry: Content Knowledge
Earth Science	0571	Earth and Space Science: Content Knowledge
Physics	0265	Physics: Content Knowledge
K–12 or 9–12 teaching certification for which no specialty area assessment or content knowledge assessment is designated and a Temporary Authorization Certificate (TAC) of License to Teach	0524	Principles of Learning and Teaching, Grades 7–12
School Counselor K–8, 7–12 ³	0420	School Guidance and Counseling
School Psychologist K–12 ³	0401	School Psychologist

APPENDIX A—continued

<u>Missouri Certificate of License to Teach</u>	<u>Test Code</u>	<u>Designated Assessment</u>
Building-Level Administrator ³ Principal K-8, 5-9, 9-12 Special Education Administrator K-12 Career Education Director	[1070] 1011	School Leaders Licensure Assessment (SLLA)
District-Level Administrator (Superintendent) K-12 ³	1020	School Superintendent Assessment (SSA)

- ¹ Not available by completion of the designated assessment only; also requires completion of a program of study in special education with the area of specialization from a state-approved institution.
- ² Not available by completion of the designated assessment only; also requires completion of a program of study in the unified science core with the area of specialization from a state-approved institution.
- ³ Not available by completion of the designated assessment only; also requires completion of a program of study and a recommendation from a state-approved institution.

AUTHORITY: sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. [2008] 2009 and sections 168.011, 168.405, and 168.409, RSMo 2000. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Charles Brown, Assistant Commissioner, Division of Teacher Quality and Urban Education, PO Box 480, Jefferson City, MO 65102-0480 or by email to Tammy.Allee@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.110 [Submission of] Reporting Emission Data, Emission Fees, and Process Information. The commission proposes to amend the original rule title, the original rule purpose, and sections (1) through (4). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This rule provides procedures for reporting emission related information and establishing emission fees for the purpose of state air resource planning. This amendment will align the Air Pollution Control Program reporting requirements with new U.S.

Environmental Protection Agency reporting requirements, move the Emissions Inventory Questionnaire (EIQ) due date from June 1 to March 1, codify reporting threshold policies and emission fees, add definitions, and clarify record-keeping and reporting requirements for first, amended, no production, and out of business EIQs. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is section 643.079, Missouri State Statutes, and Air Emissions Reporting Requirements, December 17, 2008, *Federal Register*.

PURPOSE: This rule [deals with submittal of emission information, emission fees and public availability of emission data. It] provides procedures for [collection, recording and submittal of emission data and process information on state-supplied Emission Inventory Questionnaire and Emission Statement forms, or in a format satisfactory to the director, so that the state can calculate] reporting emission related information and establishing emission[s] fees for the purpose of state air resource planning.

(1) Applicability. This rule applies to any installation that is subject to any one (1) of the following:

[(A) This rule applies to any installation that: notifies and accepts a permit-by-rule under 10 CSR 10-6.062, is required to obtain a permit under 10 CSR 10-6.060 or 10 CSR 10-6.065, is required to file an Emission Inventory Questionnaire (EIQ) as outlined in the Reporting Frequency table in paragraph (3)(A)6. of this rule, or is required by the staff director to prove its potential emissions are below de minimis levels.

(B) An annual emission statement (Form 2.0Z) is required of facilities in an ozone nonattainment area if the actual emission of either nitrogen oxides (NO_x), volatile organic compounds (VOCs) or carbon monoxide (CO) are equal to or greater than ten (10) tons annually. After the effective date of this rule, any revision to the annual emission statement (Form 2.0Z) will be presented to the regulated community for a forty-five (45)-day comment period.]

(A) Notifies and accepts a permit-by-rule under 10 CSR 10-6.062;

(B) Is required to obtain a construction permit under 10 CSR 10-6.060; or

(C) Is required to obtain an operating permit under 10 CSR 10-6.065.

(2) Definitions.

[(A) Peak Ozone Season—The time period (the months of June 1 through August 31) used in calculating ozone nonattainment area emissions on Form 2.0Z.

(B) *Consolidated Emissions Reporting Rule (CERR)*—A U.S. Environmental Protection Agency (EPA) rule designed to simplify federal reporting and unify state and local agency reporting dates.

(C) *Reporting Year*—The state reporting requirement will coincide with the three (3) year reporting cycle of the CERR beginning with 2008. The subsequent reporting years will be every three (3) years following 2008 (i.e., 2011, 2014, 2017, etc.).

(D) *Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.*

(A) *Air emissions reporting rule*—The U.S. Environmental Protection Agency (EPA) rule that finalized changes to emission reporting requirements in 40 CFR Part 51 (*Federal Register*, December 18, 2008).

(B) *Missouri Emissions Inventory System (MoEIS)*—Online interface of the state of Missouri's air emissions inventory database.

(C) *Particulate Matter (PM)*—Any material or particle, except uncombined water, that exists in a finely divided form as a liquid or solid and as specifically defined as follows:

1. *Condensable PM (PMcon)*—Material that is vapor phase at stack conditions but which condenses and/or reacts upon cooling and dilution in the ambient air to form solid or liquid PM immediately after discharge from the stack. Note that all condensable PM, if present from a source, is typically in the PM_{2.5} size fraction and, therefore, all of it is a component of both primary PM_{2.5} and primary PM₁₀;

2. *Filterable PM (PMfil)*—Particles that are directly emitted by a source as a solid or liquid at stack or release conditions and captured on the filter of a stack test train. Filterable PM_{2.5} is particulate matter with an aerodynamic diameter equal to or less than 2.5 micrometers. Filterable PM₁₀ is particulate matter with an aerodynamic diameter equal to or less than 10 micrometers; and

3. *Primary PM (PMpri)*—The sum of condensable and filterable PM.

(D) *Point source*—Large, stationary (nonmobile), identifiable source of emissions that releases pollutants into the atmosphere. A point source is an installation that is either—

1. A major source under 40 CFR part 70 for the pollutants for which reporting is required; or

2. A holder of an intermediate operating permit.

(E) *Reporting year*—Twelve (12)-month calendar year ending December 31. The reporting requirement for installations with three (3)-year reporting cycles begins with the 2011 reporting year. The subsequent reporting years will be every three (3) years following 2011 (i.e., 2014, 2017, 2020, etc.).

(F) *Small source*—An installation subject to this rule but not a point source as defined in this section of the rule.

(G) *Emissions report*—A report that satisfies the provisions of this rule and is either a—

1. *Full emissions report*—Contains all required data elements for current reporting year; or

2. *Reduced reporting form*—Represents data elements and emissions from the last full emissions report.

(H) *Reportable pollutants*—The regulated air pollutants at the process level required for emission inventory reporting as summarized in Table 1 of this rule.

(I) *Reporting threshold*—Minimum amount of reportable emissions at the emission unit level that requires reporting as summarized in Table 1 of this rule. Emissions below this amount may be designated as insignificant on the full emissions report.

(J) *Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.*

TABLE 1. Reportable Pollutants with Reporting Thresholds

Process Level Reportable Pollutants		Emission Unit Level Reporting Threshold	
Point Sources	Small Sources	Tons	Pounds
PM ₁₀ fil	PM ₁₀ pri	0.438	876
PMcon			
PM _{2.5} fil	PM _{2.5} pri	0.438	876
PMcon			
SO ₂		1	2000
NO _x		1	2000
VOC		0.438	876
CO		1	2000
Category One (1) HAP ^a		0.01 ^a	20 ^a
Category Two (2) HAP ^b		0.1 ^b	200 ^b
NH ₃		0.438	876
Lead ^a		0.01 ^a	20 ^a

^a Category One (1) Hazardous Air Pollutant (HAP) chemicals include Polycyclic Organic Matter, Arsenic Compounds, Lead Compounds, Chromium Compounds, Mercury Compounds (Alkyl and Aryl), Mercury Compounds (Inorganic), Nickel Compounds, Chlordane, Benzene, Methoxychlor, Vinyl Chloride, Heptachlor, Benzidine, Butadiene (1,3-), Chloromethyl Methyl Ether, Hexachlorobenzene, Bis(chloromethyl)ether, Asbestos, Polychlorinated Biphenyls, Trifluralin, Tetrachlorodibenzo-P-Dioxin (2,3,7,8-), Toxaphene, and Coke Oven Emissions.

^b Category Two (2) HAP chemicals are those defined in 10 CSR 10-6.020 that are not included in the list of Category One (1) HAP chemicals.

(3) General Provisions.

[(A) *Record Keeping and Reporting Requirements.*

1. The owner or operator of an installation that is a source of any air contaminant shall collect, record and maintain, during each calendar year of operation—the time period and duration of emissions; the amounts of processed materials, fuels and solvents consumed; and the amounts of process materials, fuels and solvents stored in tanks and storage piles which emit any regulated air pollutant.

2. The owner or operator of an installation subject to paragraph (3)(A)1. of this rule shall file with the director, on the frequency specified in paragraph (3)(A)6. of this rule, reports containing the information specified in paragraph (3)(A)1. of this rule. The reports shall specify the type and location of all sources of regulated air pollutants and the amount of each type of regulated air pollutant at each location; the size and height of all emission outlets, stacks and vents; the processes employed, including all fuel combustion and incineration; the type of air pollution control equipment used at the installation; the capture efficiency and control efficiency of the air pollution control equipment, where applicable; and ozone season information (Form 2.0Z) from sources located in nonattainment areas. Capture efficiency shall be applicable to emission points which are controlled by air pollution control devices and are not fully enclosed. Capture efficiency is not applicable to fugitive dust. The department encourages facilities to perform tests to determine capture efficiency. Industrial ventilation principles and engineering calculations may be used if testing is physically impossible or cost prohibitive. If testing or engineering calculation is not possible, then a default value of fifty percent (50%) capture efficiency may be used. Documentation verifying the capture efficiency shall be included with the EIQ. The owner or operator may submit a report containing information of a different nature provided the information submitted is adequate for the purposes of air quality planning

and fee assessment and is approved by the director. Information submitted shall be reduced by the director to emission data as defined in 10 CSR 10-6.210(3)(B)2.

3. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be completed on state supplied EIQ forms or in a form satisfactory to the director and shall be submitted to the director by June 1 after the end of each reporting period. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. The reporting periods for an installation, as determined by the reporting frequency specified in paragraph (3)(A)6. of this rule, shall end on December 31 of each calendar year. Each report shall contain the information required by paragraph (3)(A)2. of this rule for each air contaminant source at the installation for the twelve (12)-month period immediately preceding the end of the reporting period, in addition to the information required under paragraph (3)(A)1. of this rule to be collected, recorded and maintained during each year of operation of the installation.

4. For sources located in ozone nonattainment areas, an emission statement is required if the actual emission of nitrogen oxides (NO_x), volatile organic compounds (VOCs) or carbon monoxide (CO) is equal to or greater than ten (10) tons for any one (1) pollutant annually. Emissions of each pollutant shall be reported if a facility meets the ten (10) ton threshold for any of the three (3) pollutants. Emissions statement reporting requirements shall be completed on state supplied EIQ forms and include the information required at paragraph (3)(A)2. of this rule and ozone season information for VOC, NO_x and CO emissions and any other criteria pollutant requested by the director. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. Emission statements shall be submitted in accordance with the schedule in paragraph (3)(A)6. of this rule.

5. All data collected and recorded in support of the provisions of this rule shall be retained in accordance with the requirements in section (4) of this rule by the owner or operator for not less than five (5) years after the end of the cal-

endar year in which the data was collected and all these records shall be made available to the director upon his/her request.

6. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be filed on the following frequency:

Reporting Frequency

Installation Classification	Emission Inventory Questionnaire	
	Nonattainment Area	All Other
1. Any installation required to obtain a Part 70 or Intermediate State Operating Permit under 10 CSR 10-6.065.	Annually	Annually
2. Any installation required to obtain a Basic State Operating Permit under 10 CSR 10-6.065.	Once every three (3) years	Once every three (3) years
3. Any installation required to obtain a construction permit under 10 CSR 10-6.060 or accepting a permit-by-rule under 10 CSR 10-6.062, but not required to obtain an operating permit.	Once every six (6) years	Once every six (6) years
4. Any installation required to submit an EIQ by the director.	Within forty-five (45) days of request	Within forty-five (45) days of request
5. Any ozone nonattainment area installation whose actual emissions of VOC, NO_x or CO is equal to or greater than ten (10) tons for any one (1) pollutant annually.	Annually, an emission statement is required	Exempt, no emission statement required

(B) *Specific Report Required.* The director may require the owner or operator of an installation to submit compound specific emission rates when the information submitted pursuant to paragraph (3)(A)3. of this rule does not provide sufficient information to determine whether specific compounds from the installation may cause a threat to public health or welfare.

(C) *Public Availability of Emission Data and Process Information.* Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.

(D) *Emission Fees.*

1. Any air contaminant source required to obtain a permit under sections 643.010–643.190, RSMo, except sources that produce charcoal from wood, shall pay an annual emission fee, regardless of their EIQ reporting frequency, of forty dollars and no cents (\$40.00) per ton of regulated air pollutant emitted starting with calendar year 2007 in accordance with the conditions specified in paragraph (3)(D)2. of this rule. Sources which are required to file reports once every three (3) or six (6) years may use the information in their most recent EIQ to determine their annual emission fee if they have an EIQ on file. Sources that increase or decrease emissions by five (5) tons or more will be required to provide a complete (rather than the short form) EIQ for that year and every CERR reporting year thereafter (i.e., 2011, 2014, 2017, etc. as applicable).

2. *General requirements.*

A. The fee shall apply to the first four thousand (4,000) tons of each regulated air pollutant emitted. However, no air contaminant source shall be required to pay fees on total emissions of regulated air pollutants in excess of twelve thousand (12,000) tons in any calendar year. A permitted air contaminant source which emitted less than one (1) ton of all regulated pollutants shall pay a fee equal to the amount of one (1) ton.

B. The fee shall be based on the information provided in the facility's EIQ.

C. An air contaminant source which pays emissions fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

D. The fee imposed under paragraph (3)(D)1. of this rule shall not apply to ammonia, carbon monoxide, and PM_{2.5} particulate matter emissions.

E. The fees for emissions produced during the previous calendar year shall be due June 1 each year for all United States Department of Labor Standard Industrial Classifications. The fees shall be payable to the Department of Natural Resources.

F. All Emissions Inventory Questionnaire forms or equivalent approved by the director shall be due annually on June 1 according to the required reporting schedules in paragraph (3)(A)6. of this rule for all United States Department of Labor Standard Industrial Classifications.

G. For the purpose of determining the amount of air contaminant emissions on which the fees are assessed, a facility shall be considered one (1) source under the definition of section 643.078.2, RSMo, except that a facility with multiple operating permits shall pay emission fees separately for air contaminants emitted under each individual permit.

3. *Fee collection.* Any emission fee changes to this rule do not relieve any source from the payment of emission fees for any previous year.]

(A) *Emission Fees.*

1. Any installation subject to this rule, except sources that produce charcoal from wood, shall pay an annual emission fee of forty dollars and no cents (\$40.00) per ton of applicable pollutant emissions identified in Table 2 of this rule.

2. For full emissions reports, the fee is based on the information provided in the installation's emissions report. For sources which qualify for and use the Reduced Reporting Form, the fee shall be based on the last full emissions report.

3. The fee shall apply to the first four thousand (4,000) tons of each air pollutant subject to fees as identified in Table 2 of this rule. No installation shall be required to pay fees on total emissions in excess of twelve thousand (12,000) tons for any reporting year. An installation subject to this rule which emitted less than one (1) ton of all pollutants subject to fees shall pay a fee for one (1) ton.

4. An installation which pays emission fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

5. The fee imposed in paragraph (3)(A)1. of this rule shall not apply to NH₃, CO, and PM_{2.5} emissions, as summarized in Table 2 of this rule.

6. Emission fees for the reporting year are due June 1 after each reporting year. The fees shall be payable to the Missouri Department of Natural Resources.

7. To determine emission fees, an installation shall be considered one (1) source as defined in section 643.078.2, RSMo, except that an installation with multiple operating permits shall pay emission fees separately for air pollutants emitted under each individual permit.

TABLE 2. Pollutant Fee Applicability

Pollutants Subject to Fees	Pollutants Not Subject to Fees
PM ₁₀ pri	PM _{2.5} pri
SO ₂	CO
NO _x	NH ₃
VOC	
HAP	
Lead	

[(E)](B) [Emission Calculation and Verification] Emission Estimation Calculation and Verification.

1. [Emission calculation. All sources shall use the following hierarchy as a guide in determining the most desirable emission data to report to the department. If data is not available for an emission estimation method or an emission estimation method is impractical for a source, then the subsequent emission estimation method should be used in its place:] The method of determining an emission factor, capture efficiency, or control efficiency for use in the emissions report shall be consistent with the installation's applicable permit. Variance from this method shall be based on the hierarchy described below. If data is not available for an emission estimation method or an emission estimation method is impractical for a source, then the subsequent emission estimation method shall be used in its place—

A. Continuous Emission Monitoring System (CEMS) as specified in subparagraph (3)/[(E)](B)2.A. of this rule;

B. Stack tests as specified in subparagraph (3)/[(E)](B)2.B. of

this rule;

C. Material/mass balance;

D. AP-42 (Environmental Protection Agency (EPA) *Compilation of Air Pollution Emission Factors*) or FIRE (Factor Information and Retrieval System) (as updated);

E. Other EPA documents as specified in subparagraph (3)(E)(B)2.C. of this rule;

F. Sound engineering or technical calculations; or

G. Facilities shall obtain department *[pre]*approval of emission estimation methods other than those listed in subparagraphs (3)(E)(B)1.A.–F. of this rule before using any such method to estimate emissions in the submission of an *[EQ]* emissions report. *The department will approve or deny requests by December 31 if submitted in writing by September 1* emissions report.

2. *[Emission verification.]* The director reserves the authority to review and approve all emission estimation methods used to calculate emissions for the purpose of filing an *[EQ]* emissions report for accuracy, reliability, and appropriateness. Inappropriate usage of an emission factor or method shall include, but is not limited to: **varying from the method used in permit without prior approval**, using emission factors not representative of a process, using equipment in a manner other than that for which it was designed for in calculating emissions, or using a less accurate emission estimation method for a process when a facility has more accurate emission data available. Additional requirements for the use of a specific emission estimation method include:

A. Continuous Emission Monitoring System (CEMS).

(I) CEMS must be shown to have met applicable performance specifications during the period for which data is being presented.

(II) CEMS data must be presented in the units which the system was designed to measure. Additional data sets used to extrapolate CEMS data must have equal or better reliability for such extrapolation to be acceptable.

(III) When using CEMS data to estimate emissions, the data must include all parameters (i.e., emission rate, gas flow rate, etc.) necessary to accurately determine the emissions. CEMS data which does not include all the necessary parameters must be reviewed and approved by the director or local air pollution control authority before it may be used to estimate emissions;

B. Stack tests.

(I) Stack tests must be conducted on the specific equipment for which the stack test results are used to estimate emissions.

(II) Stack tests must be conducted according to the methods cited in 10 CSR 10-6.030, unless an alternative method has been approved in advance by the director or local air pollution control authority.

(III) Stack tests will not be accepted unless the choice of test sites and a detailed test plan have been approved in advance by the director or local air pollution control authority.

(IV) Stack tests will not be accepted unless the director or local air pollution control authority has been notified of test dates at least thirty (30) days in advance and thus provided the opportunity to observe the testing. This thirty (30)-day notification may be reduced or waived on a case-by-case basis by the director or local air pollution control authority.

(V) Stack test results which do not meet all the criteria of parts (3)(E)(B)2.B.(I)–(IV) of this rule may be acceptable for estimating emissions[,] but must be submitted for review and approval by the director or local air pollution control authority on a case-by-case basis; and

C. *[EPA documents.]* Other EPA documents may be used to estimate emissions if the emission factors are more appropriate or source specific than AP-42 or FIRE. Newly developed EPA emission factors must be published by December 31 of the year for which the facility is submitting an *[EQ]* emissions report.

[(F)(C) [Emission Fee Auditing/Adjustment] Emission Data and Fee Auditing and Adjustment.

1. The department may conduct *[on-site]* detailed *[reviews [audits]]* of *[EQs]* emissions reports and supporting documentation as the director deems necessary. **A minimum seven (7)-day notice must be provided to the installation to prepare documentation if this audit is done on-site.**

2. The department may make emission fee adjustments when **any of the following applies—**

A. Clerical or arithmetic errors have been made;

B. Submitted documentation is not supported by inspections or audits;

C. Emissions estimates are modified as a result of emission verification or audits;

D. Credit has been incorrectly applied for an emissions fee paid to a local air pollution control agency; or

E. *[The department shall not be limited by subparagraphs (3)(F)2.A.–D. of this rule in making emission fee adjustments.]* Emission estimation calculation varies from the methods described in subsection (3)(B) of this rule.

3. The department is not limited by subparagraphs (3)(C)2.A.–E. of this rule in making emission fee adjustments.

4. Adjustments to data and fees will be subject to a three (3)-year statute of limitations unless it is—

A. Due to a willful failure to report emissions or fraudulent representation for which there shall be no statute of limitations; or

B. Adjustment of emissions is based on a permitting action under 40 CFR 52.21 for which an adjustment of fees is required to all years of emission data changed up to a maximum of ten (10) years. If approved, fees in effect at the time will be due but no credit will be applied at the emission unit level.

(D) **Public Availability of Emission Data and Process Information.** Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.

(4) **Reporting and Record Keeping.** *[Owners or operators shall maintain records containing sufficient information to demonstrate compliance with all applicable emission fee rule requirements as specified in subsections (3)(A) and (B).]* All data collected and recorded in accordance with the provisions of this rule shall be retained by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected and all these records shall be made available *[to the director upon his/her] upon the director's request.*

(A) **The owner or operator of an installation that is subject to this rule shall collect information as required in this section of the rule. The information required in the emissions report is listed in Table 3 of this rule. All data elements must be reported initially and only changed data elements must be reported subsequently. To ensure permit consistency, the Air Pollution Control Program Emissions Inventory Unit will provide assistance to identify and quantify the data elements in Table 3 of this rule.**

TABLE 3. Data Elements

1. Inventory year
2. Contact name
3. Contact phone number
4. Federal Information Processing Standard (FIPS) County Code
5. Installation plant ID Code
6. Emission unit ID
7. Stack ID
8. Site name
9. Physical address
10. Source Classification Code (SCC)
11. Heat content (fuel) (annual average)
12. Ash content (fuel) (annual average)
13. Sulfur content (fuel) (annual average)
14. Reportable Pollutant
15. Activity/throughput
16. Annual emissions
17. Emission factor, with method
18. Winter throughput (percent)
19. Spring throughput (percent)
20. Summer throughput (percent)
21. Fall throughput (percent)
22. Hr/day in operation
23. Days/wk in operation
24. Wks/yr in operation
25. Stack height
26. Stack diameter
27. Exit gas temperature
28. Exit gas velocity
29. Exit gas flow rate
30. Capture efficiency (percent)
31. Control efficiency (percent)
32. Control device type
33. Emission release point type
34. Maximum Hourly Design Rate (MHDR)

(B) The full emissions report shall be submitted either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emissions Inventory Questionnaire (EIQ) paper forms on the frequency specified in Table 4 of this rule. Alternate methods of reporting the emissions, such as a spreadsheet file, can be submitted for approval by the director.

TABLE 4. Reporting Frequency

Installation Classification	Frequency of Full Emissions Report	Frequency of Reduced Reporting Form
Any installation required to obtain a Part 70 permit under 10 CSR 10-6.065.	Annually.	Not Applicable.
Any installation with an intermediate operating permit.	Once every three (3) years beginning with reporting year 2011, with subsequent years of 2014, 2017, 2020, etc., and when installation-wide emissions subject to fees increase or decrease by five (5) tons or more since the last full emissions report.	When installation-wide emissions subject to fees increase or decrease less than five (5) tons compared to the last full emissions report.
Small sources, as defined in subsection (2)(F) of this rule.	When installation-wide emissions subject to fees increase or decrease by five (5) tons or more since the last full emissions report.	When installation-wide emissions subject to fees increase or decrease less than five (5) tons compared to the last full emissions report.

(C) An installation not required to submit a full emissions report is required to submit a Reduced Reporting Form, which is due March 1 after each reporting year.

(D) The full emissions report is due March 1 after each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to April 1.

(E) For small sources, the first full emissions report is for the first full calendar year of operation in order to obtain a representative annual emissions total.

(F) For point sources, the initial full emissions report will be required for the first partial year of operation.

(G) For holders of intermediate permits and small sources as defined in this rule, a construction permit action issued under 10 CSR 10-6.060 section (5) or (6) requires a full emissions report for the first full calendar year the affected permitted equipment operates.

(H) The installation owner or operator of record on December 31 of the reporting year is responsible for the emissions report and associated fees for the entire reporting year.

(I) If there is no production from an installation in a reporting year, no emission fees are due for that year but notice of such status must be provided to the director in writing by the emissions report due date of March 1.

(J) If an installation is out of business, the final emissions report required will be for the full or partial year the installation went out of business. Notice of such status must be provided to the director in writing by the emissions report due date of March 1.

(K) After the effective date of this rule, any revision to the department-supplied EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed June 13, 1984, effective Nov. 12, 1984. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 21, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. The federal rulemaking that incorporates these reporting requirements states that these changes are estimated to decrease costs associated with emissions inventory reporting.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The federal rulemaking that incorporates these reporting requirements states that these changes are estimated to decrease costs associated with emissions inventory reporting.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., April 29, 2010. The public hearing will be held at the Drury Inn and Suites, 2111 Sulphur Avenue, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., May 6, 2010. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 12—Liquor Control**

PROPOSED AMENDMENT

11 CSR 45-12.010 Excursion Liquor License Required. The commission is amending section (2).

PURPOSE: This amendment provides the ability to impose discipline upon specific facilities named within an excursion liquor license.

(2) The commission shall have the authority to discipline for cause the Excursion Liquor licensee, **any facility named on the excursion liquor license, or the Class A or Class B licensee** for any violation of Missouri Law or these rules.

AUTHORITY: section[s] 313.004, RSMo 2000 and sections 313.805 and 313.840, RSMo [1994] Supp. 2009. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 27, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for April 7, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

PROPOSED AMENDMENT

16 CSR 50-2.010 Definitions. The board is amending subsection (1)(K).

PURPOSE: This amendment clarifies the treatment of certain differential pay as compensation under the plan.

(1) When used in these regulations or in sections 50.1000 to 50.1300, RSMo, the words and phrases defined hereinafter shall have the following meanings unless a different meaning is clearly required by the context of the plan:

(K) Compensation means, for all periods on or after January 1, 2000, all salary and other compensation paid by an employer to an employee as shown on the employee's Form W-2, plus amounts paid by an employer but excluded from W-2 compensation by reason of Internal Revenue Code sections 125, 402(g)(3), 414(h)(2), or 457, but not including travel and mileage reimbursement[,] and not including compensation in excess of the limit imposed by section 401(a)(17) of the Code. Compensation received from sources other than an employer and compensation received pursuant to independent contracting relationships shall not be included in calculating the retirement benefit. In the case of a participant who left the employer to join a uniformed service (as defined in the Uniformed Services Employment and Reemployment Rights Act of 1994), and returns to the employ of an employer before his or her reemployment rights under the statute expire, compensation, with respect to the plan years

in which the participant was in the uniformed service, shall mean the compensation the participant would have earned had he remained in the employ of the employer. The board has the discretionary authority to make a reasonable estimate of this amount. **Effective January 1, 2009, in accordance with section 414(u)(12) of the Code, compensation shall include any differential wage payment (within the meaning of section 3401(h)(2) of the Code) made by the employer to an individual who does not currently perform services for the employer by reason of qualified military service (within the meaning of section 414(u)(5) of the Code) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the employer.** For periods before January 1, 2000, compensation shall be determined under the terms of the prior plan;

AUTHORITY: section 50.1032, RSMo 2000. Original rule filed Oct. 11, 1995, effective May 30, 1996. Amended: Filed July 16, 1998, effective Jan. 30, 1999. Rescinded and readopted: Filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Sept. 17, 2007, effective March 30, 2008. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund

Chapter 2—Membership and Benefits

PROPOSED AMENDMENT

16 CSR 50-2.035 Payment of Benefits. The board is amending sections (5) and (6).

PURPOSE: This amendment clarifies that the plan shall comply with a reasonable and good faith interpretation of U.S. Code section 401(a)(9) and shall be subject to collection for child support.

(5) 401(a)(9) Requirements. Notwithstanding anything to the contrary contained in the plan, the entire interest of a participant will be distributed in accordance with **a reasonable and good faith interpretation** of U.S. Code section 401(a)(9) and the regulations thereunder beginning no later than the participant's required beginning date. The provisions of this section will apply for purposes of determining required minimum distributions *[for calendar years beginning with the 2003 calendar year]* in accordance with a **reasonable and good faith interpretation**.

(6) Non-Assignability of Benefits/**Child Support**. A participant's right to an annuity or other benefits under the plan shall not be subject to execution, garnishment, attachment, writ of sequestration, the operation of bankruptcy or insolvency laws, a qualified domestic relations order (as defined in 26 U.S.C. section 414(p) or 29 U.S.C. section 1056(d)), or to any other claim or process of law whatsoever, and shall be unassignable, **except that any payment from the plan shall be subject to the collection of child support.**

AUTHORITY: section 50.1032, RSMo 2000. Original rule filed July 29, 1997, effective Jan. 30, 1998. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund

Chapter 2—Membership and Benefits

PROPOSED AMENDMENT

16 CSR 50-2.120 Benefits Upon Participant's Death. The board is amending section (5), adding a new section (6), and renumbering the current section (6) to be section (7).

PURPOSE: This amendment will permit the return of certain contributions.

(5) The designated beneficiary of a participant **described in section (6) below** who dies without a surviving spouse *[before his or her annuity starting date but]* after having earned at least eight (8) vested years of service, or, if the participant fails to designate a beneficiary, then such participant's estate, shall be entitled to a refund of such participant's contributions **(in the case of a participant described in subsection (6)(A)) or only the participant's contributions, if any, made during the participant's subsequent employment (in the case of a participant described in subsection (6)(B))** after the receipt by the board or its designee of a notice of death from such participant's employer, or such other form of proof acceptable to the board. Such refund shall be made to the beneficiary in a single sum as soon as administratively feasible following receipt of the notice of death by the board or its designee. For purposes of this section, it shall not be administratively feasible for the board or its designee to disburse a refund until the board or its designee also receives proper verification and reconciled contribution information from the employer.

(6) A participant will be entitled to a refund under section (5) above only if the participant meets the criteria set forth in section (5) and meets either of the following criteria:

(A) He or she dies before his or her annuity starting date; or

(B) He or she returns to service after a prior separation from service and after benefit payments under the plan had commenced relating to a prior period of service, provided that such participant described in this subsection dies before his or her annuity starting date relating to such subsequent period of service.

[(6)](7) In the case of a participant who dies while performing qualified military service (as defined in section 414(u) of the Code), the survivors of the participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the plan had the participant resumed and

then terminated employment on account of death. The foregoing shall be effective with respect to deaths occurring on or after January 1, 2007. Notwithstanding anything herein to the contrary, the plan shall be administered to comply with the Heroes Earnings Assistance and Tax Relief Act of 2008, to the extent required therein.

AUTHORITY: section 50.1032, RSMo 2000. Original rule filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Nov. 10, 2005, effective May 30, 2006. Amended: Filed Sept. 5, 2007, effective March 30, 2008. Amended: Filed Sept. 8, 2008, effective March 30, 2009. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

PROPOSED AMENDMENT

16 CSR 50-2.130 Direct Rollover Option. The board is amending section (4).

PURPOSE: This amendment provides for an eligible rollover distribution to a non-spouse beneficiary, eligible rollover distributions of after-tax contributions, and eligible rollover distributions to a Roth IRA.

(4) For purposes of this regulation, the following terms have the meanings set forth below:

(A) An "eligible rollover distribution" is any distribution or withdrawal payable under the terms of this plan to a participant or a participant's beneficiary, which is described in Code section 402(c)(4). In general, this term includes any single-sum distribution, and any distribution which is one in a series of substantially equal periodic payments made over a period of less than ten (10) years, and is less than the distributee's life expectancy. However, an eligible rollover distribution does not include the portion of any distribution that constitutes a minimum required distribution under Code section 401(a)(9). *[Such term also does not include a distribution to the participant's beneficiary, unless the beneficiary is the participant's spouse.]* A portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, **effective January 1, 2007**, such portion may be paid only to an individual retirement account or annuity described in section 408(a) or (b) of the Code, or to a qualified *[defined contribution plan described in section 401(a) or 403(a) of the Code that agrees to]* trust, or to an annuity contract described in section 403(b) of the Code, if such trust or contract separately accounts for amounts so transferred (and interest thereon), including separately accounting for the portion of the distribution which is includible in gross income and the portion of such distribution which is not so includible.

(B) "Eligible retirement plan" means:

1. An individual retirement account described in Code section 408(a);
2. An individual retirement annuity described in Code section 408(b);
3. An annuity plan described in Code section 403(a); *[and]*
4. An annuity contract described in Code section 403(b);
5. An eligible plan under Code section 457(b) which is maintained by an eligible employer described in Code section 457(e)(1)(A); *[and]*
6. A qualified trust described in Code section 401(a), but only if the terms of the plan permit the acceptance of rollover distributions[.]; and
7. **Effective January 1, 2008, a Roth IRA described under Code section 408A, to the extent permitted by applicable law.** *[The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse.]*

(C) "Distributee" means a participant or the spouse of a deceased participant. **Effective January 1, 2007, a participant's designated non-spouse beneficiary may be a distributee but only with respect to an eligible retirement plan described in paragraphs (4)(B)1. and 2. above.**

AUTHORITY: section 50.1032, RSMo 2000. Original rule filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed July 6, 2001, effective Jan. 30, 2002. Amended: Filed Nov. 10, 2005, effective May 30, 2006. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 10—County Employees' Defined Contribution Plan

PROPOSED AMENDMENT

16 CSR 50-10.010 Definitions. The board is amending subsection (1)(E).

PURPOSE: This amendment clarifies the treatment of certain differential pay as compensation under the plan.

(1) Whenever used in this Chapter 10, the following terms shall have the meanings as set forth in this rule 16 CSR 50-10.010 unless a different meaning is clearly required by the context:

(E) Compensation means all salary and other compensation paid by an Employer to a county employee for personal services rendered as a county employee, as shown on the Employee's Form W-2, plus amounts paid by an Employer but excluded from W-2 compensation by reason of Code sections 125, 402(g)(3), 414(h)(2), or 457, but not including travel and mileage reimbursement, and not including compensation in excess of the limit imposed by section 401(a)(17) of the Code. **Effective January 1, 2009, in accordance with section 414(u)(12) of the Code, compensation shall include any differential wage payment (within the meaning of section 3401(h)(2) of**

the Code) made by the Employer to an individual who does not currently perform services for the Employer by reason of qualified military service (within the meaning of section 414(u)(5) of the Code) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Employer. Notwithstanding the foregoing, compensation shall only include amounts paid during an employee's employment, except as provided in the remainder of this paragraph. To the extent that the following amounts are otherwise included in the definition of compensation and are paid no later than the date which is two and one-half (2 ½) months after termination of employment, or, if later, the end of the plan year in which such termination occurs, such amounts paid after an employee's termination of employment shall be deemed compensation: regular pay, including compensation for services during regular working hours, overtime, shift differential, commissions, bonuses, or other similar payments[.]; and payment for unused accrued sick, vacation, or other leave, but only if the employee would have been able to use the leave if employment had continued. The exclusions provided for in the first sentence of this paragraph with respect to post-employment payments shall not apply to payments to an individual who does not currently perform services for the Employer by reason of qualified military service, to the extent such payments do not exceed the compensation such individual would have received from the Employer if he or she had continued to perform services for the Employer.

AUTHORITY: section 50.1000, RSMo Supp. [2008] 2009 and sections 50.1210–50.1260, RSMo 2000 and Supp. [2008] 2009. Original rule filed May 9, 2000, effective Jan. 30, 2001. Amended: Filed April 25, 2002, effective Nov. 30, 2002. Amended: Filed Dec. 22, 2008, effective July 30, 2009. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 10—County Employees' Defined Contribution Plan

PROPOSED AMENDMENT

16 CSR 50-10.050 Distribution of Accounts. The board is amending subsection (4)(D) and section (5).

PURPOSE: This amendment provides for eligible rollover distributions to a non-spouse beneficiary and eligible rollover distributions to a Roth IRA and clarifies required minimum distributions.

(4) Direct Rollover Option.

(D) For purposes of this section (4), the following terms have the meanings set forth below:

1. An "eligible rollover distribution" is any distribution or withdrawal payable under the terms of this Plan to a Participant or Participant's Beneficiary, which is described in Code section 402(c)(4). In general, this term includes any single-sum distribution,

and any distribution which is one (1) in a series of substantially equal periodic payments made over a period of less than ten (10) years, and is less than the distributee's life expectancy. However, an eligible rollover distribution does not include the portion of any distribution which constitutes a minimum required distribution under Code section 401(a)(9) or, after December 31, 2001, any distribution due to Hardship. *[Such term also does not include a distribution to the Participant's Beneficiary, unless the Beneficiary is the Participant's spouse.]*

2. For Plan Years beginning after December 31, 2001, "eligible retirement plan" means—

A. An individual retirement account described in Code section 408(a);

B. An individual retirement annuity described in Code section 408(b);

C. An annuity plan described in Code section 403(a); *[and]*

D. A retirement plan qualified under Code section 401(a), but only if the terms of the plan permit the acceptance of rollover distributions[.];

E. An annuity contract described in Code section 403(b); *[and]*

F. An eligible deferred compensation plan under Code section 457(b) which is maintained by a state, a political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state which agrees to separately account for amounts transferred into such plan from this Plan[.]; **and**

G. **Effective January 1, 2008, a Roth IRA described under Code section 408A, to the extent permitted by applicable law.**

3. "Distributee" means a Participant or the spouse of a deceased Participant. **Effective January 1, 2007, a Participant's designated non-spouse Beneficiary may be a distributee but only with respect to an eligible retirement plan described in subparagraphs (4)(D)2.A. and B. above.**

(5) Compliance with Code Section 401(a)(9). Notwithstanding anything to the contrary contained in the Plan, the entire interest of a Participant will be distributed in accordance with a **reasonable and good faith interpretation** of Code section 401(a)(9) and the regulations thereunder beginning no later than the participant's required beginning date. The provisions of this section will apply for purposes of determining required minimum distributions *[for calendar years beginning with the 2003 calendar year]* in accordance with a **reasonable and good faith interpretation**. Notwithstanding the other provisions of this section, distributions may be made under a designation made before January 1, 1984, in accordance with section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Plan that relate to section 242(b)(2) of TEFRA.

AUTHORITY: section 50.1250, RSMo Supp. [2008] 2009 and section 50.1260, RSMo 2000. Original rule filed May 9, 2000, effective Jan. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 10—County Employees' Defined Contribution Plan

PROPOSED AMENDMENT

16 CSR 50-10.060 Death Benefits. The board is amending section (4) and adding a new section (5).

PURPOSE: This amendment amends the rollover provisions consistent with provisions of the plan and amends benefits to the beneficiaries of participants who die while performing qualified military service.

(4) Direct Rollover. *If the Participant's Beneficiary is his or her spouse, the* The direct rollover provisions shall apply to a distribution made in accordance with this rule to the extent provided by the Plan and applicable law.

(5) Death During Military Service. Effective January 1, 2007, where a Participant dies while performing qualified military service (as defined by section 414(u) of the Code), the survivors of the Participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service), and the rights and features accompanying those benefits, provided under the Plan that would be available under the Plan had the Participant resumed and then terminated employment on account of death. Notwithstanding anything herein to the contrary, the Plan shall be administered to comply with the Heroes Earnings Assistance and Tax Relief Act of 2008 to the extent required therein.

AUTHORITY: section 50.1250, RSMo Supp. [1999] 2009. Original rule filed May 9, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 20—County Employees' Deferred Compensation Plan

PROPOSED AMENDMENT

16 CSR 50-20.070 Distribution of Accounts. The board is amending subsection (7)(D) and section (9).

PURPOSE: This amendment provides for eligible rollover distributions to a Roth IRA and non-spouse beneficiary and clarifies required minimum distributions.

(7) Direct Rollover Option.

(D) For purposes of this section (7), the following terms have the meanings set forth below:

1. An "eligible rollover distribution" is any distribution or withdrawal payable under the terms of this Plan to a Participant or a Participant's Beneficiary, which is described in Code section 402(c)(4). In general, this term includes any single-sum distribution, and any distribution which is one in a series of substantially equal periodic payments made over a period of less than ten (10) years, and is less than the distributee's life expectancy. However, an eligible rollover distribution does not include the portion of any distribution which constitutes a minimum required distribution under Code section 401(a)(9) or any distribution due to unforeseeable emergency. Such term also does not include a distribution to the Participant's Beneficiary, unless the Beneficiary is the Participant's spouse;

2. "Eligible retirement plan" means—

A. An individual retirement account described in Code section 408(a);

B. An individual retirement annuity described in Code section 408(b);

C. An annuity plan described in Code section 403(a);

D. A retirement plan qualified under Code section 401(a), but only if the terms of the plan permit the acceptance of rollover distributions;

E. An annuity contract described in Code section 403(b); [and]

F. An eligible deferred compensation plan under Code section 457(b) which is maintained by a state, a political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state; and

G. Effective January 1, 2008, a Roth IRA described under Code section 408A to the extent permitted by applicable law; and

3. "Distributee" means a Participant or the spouse of a deceased Participant. Effective January 1, 2007, a Participant's designated non-spouse Beneficiary may be a distributee but only with respect to an eligible retirement plan described in subparagraphs (7)(D)2.A. and B. above.

(9) All distributions under this rule 16 CSR 50-20.070 shall be made in accordance with a reasonable and good faith interpretation of the requirements of Code sections 457(d)(2) and 401(a)(9).

AUTHORITY: section 50.1300, RSMo 2000. Original rule filed May 9, 2000, effective Jan. 30, 2001. Amended: Filed April 25, 2002, effective Nov. 30, 2002. Amended: Filed June 7, 2006, effective Jan. 30, 2007. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 20—County Employees' Deferred Compensation Plan

PROPOSED AMENDMENT

16 CSR 50-20.080 Death Benefits. The board is amending sections (4) and (5) and adding a new section (6).

PURPOSE: This amendment clarifies the availability of a direct rollover for death benefits, provides parity with respect to benefits where a participant dies while performing qualified military service, and clarifies required minimum distributions.

(4) All death benefits paid in accordance with this rule 16 CSR 50-20.080 shall be made in accordance with a **reasonable and good faith interpretation** of the requirements of Code sections 457(d)(2) and 401(a)(9).

(5) Direct Rollover. *[If the Participant's Beneficiary is his or her spouse, the]* The direct rollover provisions shall apply to a distribution made in accordance with this rule to the extent provided by the Plan and applicable law.

(6) **Death During Military Service.** Effective January 1, 2007, where a Participant dies while performing qualified military service (as defined by section 414(u) of the Code), the survivors of the Participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service), and the rights and features accompanying those benefits, provided under the Plan that would be available under the Plan had the Participant resumed and then terminated employment on account of death. Notwithstanding anything herein to the contrary, the Plan shall be administered to comply with the Heroes Earnings Assistance and Tax Relief Act of 2008 to the extent required therein.

AUTHORITY: section 50.1300, RSMo 2000. Original rule filed May 9, 2000, effective Jan. 30, 2001. Amended: Filed April 25, 2002, effective Nov. 30, 2002. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 20—County Employees' Deferred Compensation Plan

PROPOSED AMENDMENT

16 CSR 50-20.120 Additional Provisions. The board is amending subsections (1)(F), (1)(I), (2)(F), (2)(G), (4)(A), (4)(B), (4)(C), and (4)(K) and adding a new subsection (2)(H).

PURPOSE: This amendment clarifies the treatment of certain differential pay as compensation under the plan, the eligible rollover distribution provisions of the plan, distributions on or after age seventy and one-half (70 1/2), the required minimum distributions, and benefits for a participant who dies in certain military service.

(1) The following words and terms, when used in this section, have

the meaning set forth below:

(F) **Compensation**—All cash compensation for services to the Employer, including salary, wages, fees, commissions, bonuses, and overtime pay, that is includible in the Employee's gross income for the calendar year, plus amounts that would be cash compensation for services to the Employer includible in the Employee's gross income for the calendar year but for a compensation reduction election under section 125, 132(f), 401(k), 403(b), or 457(b) of the Code (including an election to defer compensation under section (3)). **Effective January 1, 2009, in accordance with section 414(u)(12) of the Code, Compensation shall include any differential wage payment (within the meaning of section 3401(h)(2) of the Code) made by the Employer to an individual who does not currently perform services for the Employer by reason of qualified military service (within the meaning of section 414(u)(5) of the Code) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Employer.** Compensation of each Participant taken into account under this Plan shall in no event exceed the amount specified in /S/section 401(a)(17) of the Code as adjusted for any applicable increases in the cost of living (two hundred thirty thousand dollars (\$230,000) for 2008). Compensation shall only include amounts paid during an Employee's employment, except as provided in the remainder of this paragraph. To the extent that the following amounts are otherwise included in the definition of Compensation and are paid no later than the date which is two and one-half (2½) months after termination of employment or, if later, the end of the Plan Year in which such termination occurs, such amounts paid after an Employee's termination of employment shall be deemed Compensation: i) regular pay, including compensation for services during regular working hours, overtime, shift differential, commissions, bonuses, or other similar payments, and ii) payment for unused accrued sick, vacation, or other leave, but only if the Employee would have been able to use the leave if employment had continued. The exclusions provided for in the first sentence of this paragraph with respect to post-employment payments shall not apply to payments to an individual who does not currently perform services for the Employer by reason of qualified military service, to the extent such payments do not exceed the Compensation such individual would have received from the Employer if he or she had continued to perform services for the Employer;

(I) **Includible Compensation**—An Employee's actual wages as reported in box 1 of Form W-2 for a year for services to the Employer, but subject to a maximum of two hundred thirty thousand dollars (\$230,000) (or such higher maximum as may apply under section 401(a)(17) of the Code) and increased (up to the dollar maximum) by any compensation reduction election under section 125, 132(f), 401(k), 403(b), or 457(b) of the Code (including an election to defer Compensation under section (3)). **Effective January 1, 2009, in accordance with section 414(u)(12) of the Code, Compensation shall include any differential wage payment (within the meaning of section 3401(h)(2) of the Code) made by the Employer to an individual who does not currently perform services for the Employer by reason of qualified military service (within the meaning of section 414(u)(5) of the Code) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Employer.** Notwithstanding the foregoing, Includible Compensation shall only include amounts paid during an Employee's employment, except as provided in the remainder of this paragraph. To the extent that the following amounts are otherwise included in the definition of Includible Compensation and are paid no later than the date which is two and one-half (2½) months after termination of employment or, if later, the end of the limitation year in which such termination occurs. Such amounts paid after an Employee's termination of employment shall be deemed compensation: i) regular pay, including compensation for services during regular working hours, overtime, shift differential, commissions, bonuses, or other similar

payments, and ii) payment for unused accrued sick, vacation, or other leave, but only if the Employee would have been able to use the leave if employment had continued. The exclusion described in this paragraph with respect to post-employment payments shall not apply to payments to an individual who does not currently perform services for the Employer by reason of qualified military service, to the extent such payments do not exceed the Includible Compensation such individual would have received from the Employer if he or she had continued to perform services for the Employer;

(2) Participation and contributions shall be in accordance with the following:

(F) Leave of Absence. Unless an election is otherwise revised, if a Participant is absent from work by leave of absence, Annual Deferrals under the Plan shall continue to the extent that Compensation continues; *and*/

(G) Disability. A disabled Participant may elect Annual Deferrals during any portion of the period of his or her disability to the extent that he or she has actual Compensation (not imputed Compensation and not disability benefits) from which to make contributions to the Plan and has not had a Severance from Employment/.; **and**

(H) **Death During Military Service. Where a Participant dies while performing qualified military service (as defined by section 414(u) of the Code), section 16 CSR 50-20.080(6) of the plan shall apply.**

(4) Benefit distributions shall be in accordance with the following:

(A) Benefit Distributions at **Age seventy and one-half (70 1/2)**, Retirement or Other Severance from Employment. Upon **attainment of age seventy and one-half (70 1/2)**, retirement, or other Severance from Employment (other than due to death), a Participant is entitled to receive a distribution of his or her Account Balance under any form of distribution permitted under subsection (4)(C) commencing at the date elected under subsection (4)(B). If a Participant does not elect otherwise, the distribution shall be paid as soon as practicable following Normal Retirement Age or, if later, following retirement or other Severance from Employment and payment shall be made in a lump sum.

(B) Election of Benefit Commencement Date. A Participant may elect to commence distribution of benefits at any time after **attainment of age seventy and one-half (70 1/2)**, retirement, or other Severance from Employment by a notice filed at least (30) days before the date on which benefits are to commence.

However, in no event may distribution of benefits commence later than the date described in subsection (4)(H).

(C) Forms of Distribution. In an election to commence benefits under subsection (4)(B), a Participant entitled to a distribution of benefits under this section (4) may elect to receive payment in such forms of distribution described in the Plan, to the extent the material terms and conditions for those forms are set forth in the Plan and the additional forms of payment satisfy **a reasonable and good faith interpretation of the requirements of section 401(a)(9) of the Code and subsection (4)(H) below** and are not inconsistent with this section (4).

(K) Rollover Distributions.

1. A *[Participant or the surviving spouse of a Participant]* **distributee** who is entitled to an eligible rollover distribution may elect, at the time and in the manner prescribed by the Administrator, to have all or any portion of the distribution paid directly to an eligible retirement plan specified by the *[Participant]* **distributee** in a direct rollover.

2. For purposes of this subsection (4)(K), an eligible rollover distribution means any distribution of all or any portion of a Participant's Account Balance, **determined in accordance with applicable law and the terms of the Plan**, except that an eligible rollover distribution does not include—

A. Any installment payment under subsection (4)(C) for a period of ten (10) years or more;

B. Any distribution made under subsection (4)(I) as a result of an unforeseeable emergency; or

C. For any other distribution, the portion, if any, of the distribution under section 401(a)(9). In addition, an eligible retirement plan means an individual retirement account described in section 408(a) of the Code, an individual retirement annuity described in section 408(b) of the Code, a qualified trust described in section 401(a) of the Code, an annuity plan described in section 403(a) or 403(b) of the Code, *[or]* an eligible government plan described in section 457(b) of the Code, that accepts the eligible rollover distribution, **or, effective January 1, 2008, a Roth IRA described under section 408A of the Code, to the extent permitted by applicable law.**

3. A **"distributee"** means a Participant or the spouse of a deceased Participant. **Effective January 1, 2007, a Participant's designated non-spouse Beneficiary may be a distributee but only with respect to an eligible retirement plan described in subparagraphs 16 CSR 50-20.070(7)(D)2.A. and B.**

AUTHORITY: section 50.1300, RSMo 2000. Original rule filed Nov. 10, 2005, effective May 30, 2006. Amended: Filed Dec. 22, 2008, effective July 30, 2009. Amended: Filed Jan. 25, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 19—Electronics Scrap Management**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.1062, 260.1065, 260.1089, and 260.1101, RSMo Supp. 2009, the commission adopts a rule as follows:

10 CSR 25-19.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule appeared in the August 3, 2009, *Missouri Register* (34 MoReg 1553-1560). Those sections with changes are reprinted here. This rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on October 15, 2009, the department testified that the proposed rule establishes a program for manufacturers of certain electronic equipment, including laptop and personal computers, to adopt a recovery plan for recycling computer equipment. The rule further establishes a procedure for the Department of Natural Resources to maintain a list of manufacturers who have submitted an approved recovery plan. The department testified that the rule resulted from a law passed by the general assembly in 2008. The department further testified that most of the substantive portions of the rule concerning submittal of recovery plans and the requirements of the plans and that the rule expanded on terms not defined in the law, such as the requirement that recovery

plans offer recycling opportunities, are reasonable and convenient for consumers. Other than the department, there was no testimony at the public hearing either in support of or opposed to the rule. The department received seven (7) comments by electronic mail, one (1) from Dave Beal, Vice President of EPC Recycling and six (6) from Mr. Wang Nini, Director General of the National Notification and Enquiry Center in Beijing, China. Their comments and the department's response to the comments are summarized below.

COMMENT #1: Dave Beal of EPC Recycling commented, "On pages 1553 and 1554, under (3) Manufacturer Responsibility, section (C) 'Reasonably convenient collection of covered equipment' generally reflects the level of effort exerted for the purchase of the covered equipment. The following collection methods, alone or combined, meet the convenience requirements of this section; paragraph 4. states 'A system using a minimum of one (1) collection event held by the manufacturer or the manufacturer's designee at which the consumer may return covered equipment. Collection event(s) shall, at a minimum, be located in each city or town with a population of greater than five thousand (5,000) or per county or per solid waste district.' I believe that the way this language reads, it allows the manufacturers to run one (1) event, and they have complied with the rule. In my opinion, it should read one (1) event *per year*, not just one (1) event."

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the comment. It is our understanding, and we believe the understanding of the stakeholder workgroup that helped draft the proposed rule language, that if a manufacturer offers collection events to satisfy the statutory mandate, at a minimum, they need to offer one (1) collection event per year. We believe this is consistent with the statutory requirement that manufacturers implement a recovery plan that includes recycling opportunities for consumers that are reasonably convenient and available. Language was added to paragraph 10 CSR 25-19.010(3)(C)4. of the rule in response to this comment.

COMMENT #2: Mr. Wang Nini commented that they appreciate the efforts to protect the environment but regret that the proposed rule does not include any prohibition of trans-boundary movements of the hazardous wastes generated by the computer recycling process and for their disposal. They suggest that language be included in the rule to address the responsibility to prevent improper disposal of these wastes outside the boundaries of the United States.

RESPONSE: Section (5) of the proposed rule titled "Sound Environmental Management" requires equipment to be recycled and reused in compliance with federal, state, and local law. Section (5) also adopts the Institute of Scrap Recycling Industries' standards for "Electronics Recycling Operating Practices" and the United States Environmental Protection Agency's "Responsible Recycling (R2) Practices for Use In Accredited Certification Programs For Electronics Recyclers." These standards are required for plans submitted pursuant to subsection (3)(E). These standards both address trans-boundary movement of electronics scrap, and the department believes that these requirements are sufficient to address the commenter's concerns. No changes to the rule are proposed in response to this comment.

COMMENT #3: Mr. Wang Nini commented that, under section (3) of the rule on Manufacturer Responsibility, manufacturers must submit recovery plans on a form provided by the department. He suggests that the forms used by the department should be provided publicly and that the department should offer the opportunity to submit comments on the form.

RESPONSE: The department will prepare forms covering the requirements of this rule, and the content of the forms will directly reflect the requirements of the law and the rule. As the department prepares these forms, we will request input from the stakeholders

who have participated in the rule development process. The department intends to post the draft form for manufacturers' recovery plans on its website prior to the effective date of the rule and the form for annual reports at a later date. No change to the rule is proposed in response to this comment.

COMMENT #4: Mr. Wang Nini commented that, in section (1) of the rule, the third definition given for manufacturer seems to be in conflict with paragraph (3)(A)2. under Manufacturer Responsibility. He further suggests that the rule be amended to clarify this apparent conflict.

RESPONSE: The definition of manufacturer in section (1) of the rule refers to equipment that may have been manufactured prior to the effective date of the statute and the rule. Paragraph (3)(A)2. provides direction for products sold after the effective date of the rule. In the event that a manufacturer sells covered equipment without a brand in violation of paragraph (3)(A)2., they will still be held responsible for recycling that equipment. No change to the rule is proposed in response to this comment.

COMMENT #5: Mr. Wang Nini commented that, in paragraph (1)(D)5. of the rule, importers of covered equipment are considered manufacturers unless the company that sold the covered equipment to the importer has a sufficient presence in the United States to be considered the manufacturer. He further comments that it is uncertain as to how the department will determine when the company that sells the equipment to the importer has sufficient assets to be considered the manufacturer and that the department should publicize the criteria the department will use to make this determination.

RESPONSE: In general, the department will look to the manufacturer of covered equipment as the entity responsible for recycling the covered equipment. If the importer sold or sells equipment in Missouri from a manufacturer who is unable or unwilling to assume responsibility, the importer will take on the responsibility. Since covered equipment can not be sold in Missouri without a responsible party to recycle the equipment, the department does not feel that establishing specific criteria is necessary to implement the rule. No changes were proposed to the rule in response to this comment.

COMMENT #6: Mr. Wang Nini noted the similarity of the notification for this proposed rule to the notification provided when the Missouri General Assembly passed the *Manufacturer Responsibility and Consumer Convenience Computer Equipment Collection and Recovery Act*. He suggests that the difference, if any, be clarified.

RESPONSE: As noted by the commenter, there is a significant similarity between the content of the proposed rule and the content of the act passed by the general assembly. In order to make the requirements of the law clearer and more accessible to individuals who may only have the language of the regulation to refer to, much of the rule is simply duplication of the language of the law. The primary difference between the law and the proposed rule is the additional detail provided on some of the definitions and on the definitions of the terms reasonably convenient and available to the consumers of the state. No changes were proposed to the rule in response to this comment.

COMMENT #7: Mr. Wang Nini commented that the costs of the rule are detailed in the public entity fiscal note and private entity fiscal note, respectively. He suggests that the fiscal notes be publicized.

RESPONSE: We agree that it is appropriate to publicize the fiscal notes. Both fiscal notes were published in the Missouri Register on August 3, 2009, along with the text of the proposed rule. The text of the proposed rule and the fiscal notes are also available on the department's web site. We believe the publication of the fiscal notes in the *Missouri Register* and on the web provides ample notice about the subject and content of the fiscal notes. No changes were proposed to the rule in response to this comment.

10 CSR 25-19.010 Electronics Scrap Management

(3) Manufacturer Responsibility.

(C) Reasonably convenient collection of covered equipment generally reflects the level of effort exerted for the purchase of the covered equipment. The following collection methods, alone or combined, meet the convenience requirements of this section:

1. A system by which the manufacturer or the manufacturer's designee offers the consumer a system for returning covered equipment by mail, without the consumer having to pay any mailing, shipping, handling, or any other cost directly related to mailing;

2. A system by which the manufacturer or the manufacturer's designee offers the consumer direct pick up of the covered equipment;

3. A system using physical collection sites or alternate collection services that the manufacturer or the manufacturer's designee keeps open and staffed and to which the consumer may return covered equipment. At a minimum, there shall be one (1) collection site located in each city or town with a population greater than ten thousand (10,000);

4. A system using a minimum of one (1) collection event per year held by the manufacturer or the manufacturer's designee at which the consumer may return covered equipment. Collection event(s) shall, at a minimum, be located in each city or town with a population of greater than five thousand (5,000) or per county or per solid waste district;

5. A system by which the manufacturer or the manufacturer's designee offers a designated drop-off facility within a thirty (30)-mile radius of retailer and to which the consumer may return covered equipment;

6. A system by which the manufacturer or the manufacturer's designee offers a designated local recycler within a thirty (30)-mile radius of retailer and to which the consumer may return covered equipment; or

7. Other method approved by the department.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 30—Division of Regulation and Licensure Chapter 40—Comprehensive Emergency Medical Services Systems Regulations

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under sections 190.142, 190.160, 190.165, and 190.185, RSMo Supp. 2009, the department amends a rule as follows:

19 CSR 30-40.342 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2147-2153). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment on the proposed amendment.

COMMENT: Department staff noted that the changes to the criminal background requirements in subsections (1)(B) and (C) and the license application form would shift the cost of conducting background checks to applicants for licensure. Department staff also noted the private cost statement reflected the increased cost that private entities would incur as a result of having to conduct and provide background checks for license applicants.

RESPONSE AND EXPLANATION OF CHANGE: The new language in subsections (1)(B) and (C) requiring the applicant to provide a copy of their criminal background check has been changed back to the original language in the rule and item 12.D. in the license application form has been deleted. A revised private cost statement will also be included with the order of rulemaking since private entities will not incur any costs for conducting criminal background checks under the original language of the rule.

19 CSR 30-40.342 Application and Licensure Requirements for the Initial Licensure and Relicensure of Emergency Medical Technician-Basics, Emergency Medical Technician-Intermediate, and Emergency Medical Technician-Paramedics

(1) Application Requirements for Emergency Medical Technician (EMT) Licensure.

(B) An application shall include, but is not limited to, the following information: whether an initial licensure or relicensure application; if previously licensed, their license number and expiration date; type of licensure applied for (EMT-Basic (EMT-B), EMT-Intermediate (EMT-I), or EMT-Paramedic (EMT-P)); type of certification or education used for licensure or relicensure; applicant's name, signature, address, date of birth, sex, daytime telephone number, email address (if applicable), and Social Security number; if applicable, type of present primary EMS affiliation; prior administrative licensure actions taken against any license or certification in Missouri or any other state; whether they have been finally adjudicated and found guilty, or entered a plea of guilty or *nolo contendere*, in a criminal prosecution under the laws of any state or of the United States, whether or not they received a suspended imposition of sentence for any criminal offense; if the answer is yes to the preceding statement, they must attach to their application a certified copy of all charging documents (such as complaints, informations, or indictments), judgments and sentencing information, plea agreements and probation terms, and any other information they wish considered; certification by the applicant that they have the ability to speak, read, and write the English language; certification by the applicant that they do not have a physical or mental impairment which would substantially limit their ability to perform the essential functions of an emergency medical technician position with or without a reasonable accommodation; certification by the applicant that if relicensing using continuing education that they have successfully completed the required continuing education in accordance with state regulations, have attached a list of these continuing education units, and are in possession of documents of the required continuing education, and will make all records available to the EMS Bureau upon request under penalty of license action up to and including revocation; certification by the applicant that the application contains no misrepresentation or falsifications and that the information given by them is true and complete to the best of their knowledge; certification by the applicant that they have the intention and the ability to comply with the regulations promulgated under the Comprehensive Emergency Medical Services Systems Act, Chapter 190, RSMo; and certification by the applicant that they have been a resident of Missouri for five (5) consecutive years prior to the date on their application or have attached to the application at least two (2) completed fingerprint cards supplied by the Bureau of EMS.

(C) All applicants shall provide their Social Security number on their application so the Bureau of EMS can perform criminal history checks to determine the recency and relatedness of any criminal convictions prior to the licensure or relicensure of the applicant. Criminal history checks that the EMS Bureau finds not to be relevant to the licensure or relicensure of an EMT will not be maintained in the applicant's file.



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
BUREAU OF EMERGENCY MEDICAL SERVICES
EMS PERSONNEL LICENSE APPLICATION

UEMS USE ONLY

FOR DOH OFFICE USE ONLY - DO NOT WRITE IN THIS SPACE

EMT LICENSE NO.

APPROVED BY/DATE _____

DATE LICENSED

DATE APP. REC'D.

EXPIRATION DATE

APPLICANT MUST COMPLETE INFORMATION BELOW TYPE OR PRINT

1. ☐ INITIAL LICENSE APP.

IF APPLICABLE

CURRENT MO EMS LIC NO.

AND

EXPIRATION DATE

2. ☐ RELICENSURE APP.

3. TYPE OF LICENSE APPLIED FOR (Check One)

EMT-Basic ☐

EMT-Intermediate ☐

EMT-Paramedic ☐

4. CERTIFICATION/EDUCATION USED FOR INITIAL LICENSURE OR RELICENSURE: (PLEASE CHECK ONLY ONE)

☐ EMT-B

☐ EMT-I

☐ EMT-P

☐ EMT-B

☐ EMT-I

☐ EMT-P

NATIONAL REGISTRY
(Attach copy of card)

NATIONAL REGISTRY
(Attach copy of card)

NATIONAL REGISTRY
(Attach copy of card)

CONTINUING
EDUCATION

CONTINUING
EDUCATION

CONTINUING
EDUCATION

5. NAME (LAST, FIRST, MIDDLE INITIAL)

SOCIAL SECURITY NUMBER

DATE OF BIRTH

SEX

☐ M ☐ F

DAYTIME PHONE NUMBER

E-MAIL ADDRESS (if applicable)

MO ___ DAY ___ YR ___

MAILING ADDRESS (STREET)

CITY

STATE

ZIP CODE

COUNTY

6. NAME OF THE EMS AGENCY YOU ARE CURRENTLY WORKING FOR. (If applicable)

7. TYPE OF PRESENT PRIMARY EMS AFFILIATION (IF APPLICABLE)

☐ AMBULANCE SERVICE

☐ UNLICENSED FIRST RESPONDER AGENCY

☐ POLICE DEPARTMENT

☐ LICENSED EMRA

☐ FIRE SERVICE

☐ OTHER

8. Have you ever had administrative licensure action taken against your EMT license in Missouri or any other state?

Yes ☐ No ☐ IF YES, EXPLAIN ON ATTACHED SHEET

9. Has your right to practice in a health care occupation ever been subject to limitations, suspension or termination?

Yes ☐ No ☐ Not Applicable ☐ IF YES, EXPLAIN ON ATTACHED SHEET

10. Have you ever voluntarily surrendered a health care license or certification in any state?

Yes ☐ No ☐ Not Applicable ☐ IF YES, EXPLAIN ON ATTACHED SHEET

11. HAVE YOU EVER BEEN FINALLY ADJUDICATED AND FOUND GUILTY, OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE IN A CRIMINAL PROSECUTION UNDER THE LAWS OF ANY STATE OR OF THE UNITED STATES, WHETHER OR NOT YOU RECEIVED A SUSPENDED IMPOSITION OF SENTENCE FOR ANY CRIMINAL OFFENSE? Yes ☐ No ☐
IF YOU HAVE ANSWERED YES TO THE ABOVE QUESTION YOU MUST ATTACH TO YOUR APPLICATION A CERTIFIED COPY OF ALL CHARGING DOCUMENTS (SUCH AS COMPLAINTS, INFORMATIONS OR INDICTMENTS), JUDGMENTS AND SENTENCING INFORMATION, PLEA AGREEMENTS AND PROBATION TERMS AND ANY OTHER INFORMATION YOU WISH CONSIDERED.

12. I HEREBY CERTIFY THAT:

A. I am able to speak, read and write the English language.

B. I do not have a physical or mental impairment which would substantially limit my ability to perform the essential functions of an emergency medical technician with or without a reasonable accommodation.

C. This application contains no misrepresentations or falsifications and the information given by me is true and complete to the best of my knowledge. I further certify that I have both the intention and the ability to comply with the regulations promulgated under Chapter 190 RSMo.

D. I have been a resident of Missouri for five (5) consecutive years prior to the date on the application or I have attached to the application at least two (2) completed fingerprint cards supplied by the EMS Bureau.

IF RELICENSING USING CONTINUING EDUCATION, PLEASE COMPLETE THE REVERSE SIDE OF THIS FORM

APPLICANT'S SIGNATURE

DATE

WARNING: In addition to licensure action, anyone who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty may be guilty of a class B misdemeanor pursuant to section 575.06 RSMo.

Mail application to: Bureau of EMS, P.O. Box 570, Jefferson City, MO 65102

EMS-3

REVISED PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate, versus the forty thousand, three hundred fifty dollar (\$40,350) cost which was submitted with the original proposal.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 1105—Credit Union Commission
Chapter 3—Credit Union Membership and Chartering**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Credit Unions under section 370.100, RSMo 2000, the director adopts a rule as follows:

**20 CSR 1105-3.011 Definitions—Immediate Family and
Household is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 16, 2009 (34 MoReg 2472). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Division of Credit Unions received one (1) comment on the proposed rule.

COMMENT: The Missouri Credit Union Association submitted a comment in support of the proposed rule.

RESPONSE: The Missouri Division of Credit Unions appreciates the comment from the Missouri Credit Union Association.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 1105—Credit Union Commission
Chapter 3—Credit Union Membership and Chartering**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Credit Unions under section 370.100, RSMo 2000, the director adopts a rule as follows:

**20 CSR 1105-3.012 Definitions—Low-Income or Underserved
Community is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 16, 2009 (34 MoReg 2472–2473). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Division of Credit Unions received one (1) comment on the proposed rule.

COMMENT: The Missouri Credit Union Association submitted a comment in support of the proposed rule.

RESPONSE: The Missouri Division of Credit Unions appreciates the comment from the Missouri Credit Union Association.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors**

Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111.1, RSMo 2000 and section 333.340, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2120-2.100 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2417–2420). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors**

Chapter 3—Preneced

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.315, 333.320, 333.340, 436.460, and 436.520, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2120-3.105 Filing of Annual Reports is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2421–2423). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors**

Chapter 3—Preneced

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.315, 333.320, 333.340, and 436.456, RSMo Supp. 2009, the board adopts a rule as follows:

**20 CSR 2120-3.125 Corporate Ownership of a Licensee
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 2, 2009 (34

MoReg 2424). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed rule.

COMMENT: Dewey Akers requested clarification of section (1) of the proposed rule. Mr. Akers wonders if this section means that all owners must be eligible to be a licensed funeral director or embalmer.

RESPONSE: Section (1) does not mean that all owners must be eligible to be a licensed funeral director or embalmer. It does, however, mean that they must be eligible for licensure under section 333.330, RSMo, if applying as a seller, provider, and/or establishment. No changes were made to the proposed rule as a result of this comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.325.5 and 333.340, RSMo Supp. 2009, the board adopts a rule as follows:

**20 CSR 2120-3.405 Preneed Agents—Missouri Law Exam
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2424–2428). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2200-4.021 Graduate Temporary Permit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 16, 2009 (34 MoReg 2473). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.300, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2200-4.022 Nurse Licensure Compact is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 16, 2009 (34 MoReg 2473–2476). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment in support of the proposed rule.

COMMENT: Mary Alice Bross-Evans, RN, BS of Accredio Health Group, Inc. and Critical Care Systems, Inc., commented that they were appreciative of the opportunity to address the board in support of the new rule. They believe this rule will expand the availability of nursing services for patients throughout Missouri as well as neighboring nursing compact states to ensure patients are receiving needed care in a timely manner. Support was also expressed for subsection (3)(A), which ensures that disciplinary orders or agreements throughout the nursing compact states will be recognized in Missouri to ensure that Missouri patients are receiving nursing services from licensed nurses monitored by the nursing boards and within the compact.

RESPONSE: The board appreciates the support from Accredio Health Group, Inc. and Critical Care Systems, Inc. No changes have been made to the rule as a result of this comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.065, RSMo 2000 and sections 337.600 and 337.627, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-1.010 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2221). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.065, RSMo 2000 and sections 337.600 and 337.627, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-1.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2221-2222). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.612 and 337.627, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-1.035 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2222-2224). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.612, 337.615, and 337.627, RSMo Supp. 2009, the board rescinds a rule as follows:

**20 CSR 2263-2.020 Educational Requirements for Licensed
Clinical Social Workers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2225). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.612, 337.615, and 337.627, RSMo Supp. 2009, the board adopts a rule as follows:

**20 CSR 2263-2.020 Educational Requirements for Licensed
Social Workers is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2225). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

**20 CSR 2263-2.022 Education Requirements for Licensed
Baccalaureate Social Workers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2225). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, 337.662, and 337.665, RSMo Supp. 2009, the board amends a rule as follows:

**20 CSR 2263-2.030 Supervised Licensed Social Work
Experience is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2225-2226). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received one (1) comment on the proposed amendment.

COMMENT: The National Association of Social Workers (NASW) questioned what mechanism the committee requires for accountability by the supervisors or supervisees in attesting or reporting the required fifty percent (50%) of supervision. NASW also recommended additional language be added to section (4) stating that the license must be received by the applicant to reinforce the intent of the committee to have the licensee remain under supervision until the licensee has been fully approved and notified in writing.

RESPONSE: Documentation of the face-to-face supervision is the responsibility of the supervisor. The committee appreciates the comments made by NASW, however, voted to make no additional changes to the proposed amendment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

**20 CSR 2263-2.031 Acceptable Supervisors and Supervisor
Responsibilities is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2226). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-2.031 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2226–2232). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received eleven (11) comments on the proposed rule.

COMMENT #1: Steve Franklin, masters social worker (MSW), licensed clinical social worker (LCSW), in regards to section (1) of the proposed rule, stated that he believes the board should consider allowing adequate time for supervisors to meet the supervision training course requirement after the rule has been made effective, as well as for various entities to develop and present supervision training programs. Otherwise, he is concerned that there will be an insuffi-

cient number of potential supervisors to choose from while there is a rush to satisfy the new course requirement. In example, it might be considered that the supervision training course requirement will be effective six (6) months after the implementation of the rule. Mr. Franklin also believes the board should consider any supervision approved and compliant with the rules at the time of the registration of supervision shall continue to be valid as long as the supervisor is compliant with the rules that were in effect at the time of registration.

RESPONSE AND EXPLANATION OF CHANGE: The board appreciates the comment submitted by Mr. Franklin and voted to adjust the current language to add “if seeking approval of supervision on or after September 30, 2010” to paragraph (1)(A)3.

COMMENT #2: Steve Franklin, MSW, LCSW, commented, in regards to section (5), that the proposed amendment has an unnecessary effect of inhibiting the ability of someone outside an agency to provide supervision for services within the agency and also believes this would unnecessarily reduce the opportunities for smaller agencies to hire provisionally licensed staff. He believes it is helpful for a supervisor to have a general overview of an agency’s policies and procedures but feels it unnecessary and inappropriate to expect them to be authorities on them. As for individual screening of each client, he is not certain that is necessary. He believes that procedures could be developed to establish the range of client issues/diagnoses that fall within the competence of the supervisee/supervisor and bring select individuals to the direct attention of the supervisor. Mr. Franklin also feels it inappropriate to put responsibility of agency business under the control of a non-employee supervisor. He suggested requiring the supervisor to make recommendations to the agency in regards to workload. Mr. Franklin also feels that subsection (5)(I) is incomprehensible and therefore unenforceable.

RESPONSE: The committee appreciates the comment made by Mr. Franklin, however, voted to make no changes to the proposed rule.

COMMENT #3: The National Association of Social Workers (NASW) stated that the language in subsections (1)(B)–(D) indicates that a licensed baccalaureate social worker (LBSW) needs supervision. According to the statute, under section 337.653.3, RSMo, LBSWs who pursue supervision become LBSW independent practice. NASW feels the proposed rule needs to reflect this same licensure title as indicated in the above statutory language for the master’s level pursuing a licensed advanced macro social worker (LAMSW) license or licensed clinical social worker (LCSW). NASW recommends adding the phrase “independent practice” to subsections (1)(B)–(D).

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comments made by NASW and voted to accept their language recommendation by adding “independent practice” following LBSW in subsections (1)(B)–(D) to provide a clear understanding of who needs to be supervised or can provide supervision.

COMMENT #4: NASW noted an incorrect statutory reference in section (4); where the rule states section “...337.639, RSMo,” it should state “...337.689, RSMo.”

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comment made by NASW and voted to accept their recommendation to correct the statute citation.

COMMENT #5: NASW questioned what mechanism the committee requires for accountability by the supervisors or supervisees in attesting or reporting the required fifty percent (50%) of supervision.

RESPONSE: Documentation of the supervision is the responsibility of the supervisor. The committee appreciates the comment made by NASW, however, voted to make no changes to the proposed rule.

COMMENT #6: NASW commented that clarification is needed as to if the committee means business or calendar days in subsections

(5)(H), (5)(K), and (5)(L), section (6), and subsection (6)(C) to strengthen the intent of the language.

RESPONSE: The committee goes by calendar days. The comment made by NASW is appreciated, however, since the comment posed no changes to the proposed rule, the committee voted to make no changes.

COMMENT #7: NASW suggested changing "...qualified licensed social worker supervisor..." in subsection (5)(J) to "...qualified licensed social work supervisor..."

RESPONSE: The committee appreciates the comment made by NASW, however, voted to make no changes to the proposed rule.

COMMENT #8: NASW stated clarification was needed for the licensee on the type of setting, whether it be employment or practice, in subsection (5)(K) and also suggested that the change of status form should be capitalized in the rule as that is proper formatting for the name or title of a specific form.

RESPONSE: The committee appreciates the comment made by NASW, however, the committee follows formatting standards set forth by the secretary of state's office and therefore voted to make no changes to the proposed rule.

COMMENT #9: NASW stated that according to sections 337.615(2), 337.645(2), and 337.653.3, RSMo, "...an applicant must complete three thousand (3,000) hours of supervised...and no more than forty-eight (48) consecutive calendar months; therefore a report submitted to the committee on the forty-eighth month of supervision is outside the statutory allowance for licensure." Clarification for the supervisor of "what is expected" in the report on progress to the committee. This will provide direction and consistence among reports submitted for better evaluation and minimize confusion. That being said, NASW suggested adding "The progress report will provide an overview of the licensee's practice knowledge of licensure, statute, and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process" to subsection (5)(M).

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comments made by NASW and has voted to accept their language recommendation with minor changes.

COMMENT #10: Amy Bantz, MSW, AU Social Worker for Missouri Psychiatric Center, commented that she is in the process of starting supervision for her licensed clinical social worker (LCSW). She states that there are many qualified LCSWs at her place of employment but few of them have been licensed for five (5) consecutive years. Having such strict requirements has limited opportunities for supervision by LCSWs that have had years of clinical experience. Ms. Bantz is strongly in favor of changing the proposal to state five (5) years rather than five (5) consecutive years.

RESPONSE: The committee appreciates the comment made by Ms. Bantz, however, voted to make no changes to the proposed rule as this change will need to be done statutorily.

COMMENT #11: Dasi Schlup, MSW, LCSW, commented that she would like to see a change of section 337.600, RSMo, regarding the requirement to become a social work supervisor to state, "licensed social worker have five (5) years of post licensure experience." This would allow many more seasoned and experienced masters prepared social workers to provide the much needed supervision to prospective licensed social workers. As the requirements for licensure has been increased, it behooves the profession to enhance the availability of experienced professional social workers to provide such supervision. Ms. Schlup thanks the committee for their consideration.

RESPONSE: The committee appreciates the comment made by Ms. Schlup, however, voted to make no changes to the proposed rule as this change will need to be done statutorily.

20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities

(1) Acceptable Supervisors:

(A) An acceptable supervisor for a clinical or advanced macro social worker license shall:

1. Have a master's or degree from a college or university program of social work accredited by the Council on Social Work Education (CSWE) or a doctorate degree in social work;

2. Be licensed in Missouri as a clinical or advanced macro social worker or similarly licensed in another state whose licensure laws, as determined by the committee, are equivalent to Missouri;

3. If seeking approval of supervision on or after September 30, 2010, have completed a sixteen (16)-hour continuing education course in supervision approved in accordance with the rules of continuing education;

A. Approved course work and sixteen (16)-hour supervision training courses must contain components relative to:

(I) Supervisory Relationship and Process;

(II) Supervision of Supervisee's Practices;

(III) Professional Relationships;

(IV) Work Content;

(V) Evaluation and lifelong learning; and

(VI) Professional Responsibility;

4. Have five (5) years of post licensure experience; and

5. For ongoing currency, supervisors shall have completed at least three (3) hours of face-to-face continuing education in supervision each renewal cycle as part of the total hours required;

(B) A licensed clinical social worker (LCSW) may supervise LCSW, licensed advanced macro social worker (LAMSW), or licensed baccalaureate social worker (LBSW) independent practice registrants;

(C) A LAMSW may supervise LAMSW or LBSW independent practice registrants; and

(D) A Missouri LBSW independent practice or a LBSW from another state whose licensure laws, as determined by the committee, are equivalent to Missouri may supervise an LBSW registrant.

(4) A social worker holding an equivalent license in another state may supervise in that state but may not do so in Missouri because supervision is the practice of social work according to sections 337.600-337.689, RSMo.

(5) The practice of social work by the supervisee shall be performed under the supervisor's control, oversight, guidance, and full professional responsibility. This shall include all applicable areas of practice including but not limited to:

(M) The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee's practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION Division 2263—State Committee for Social Workers Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.665, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.032 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2233-2237). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received four (4) comments on the proposed amendment.

COMMENT #1: The National Association of Social Workers (NASW) commented that clarification is needed for the licensee on the timeframe as to how to stay in compliance as well as adding a better understanding of what the consequence is for not complying with the committee's request to report. This clarification would hopefully institute a better response and minimize the non-compliance and confusion of the licensee's responsibility. NASW suggested adding "...but must be submitted in writing within fourteen (14) business or calendar days. Failure to submit a change will result in supervision hours not calculated toward the three thousand (3,000) hours of supervised licensed social work experience" at the end of section (5).

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comments made by NASW and voted to accept their recommendation with minor changes. The committee goes by calendar days and, therefore, removed "business or calendar" suggested by NASW.

COMMENT #2: NASW commented that clarification is needed as to if the committee means business or calendar days in section (11) to strengthen the intent of the language.

RESPONSE: The committee goes by calendar days. The comment made by NASW is appreciated, however, since the comment proposed no changes to the proposed rule, the committee voted to make no changes.

COMMENT #3: NASW stated that according to sections 337.615(2), 337.645(2), and 337.653.3, RSMo, "An applicant must complete three thousand (3,000) hours of supervised...and no more than forty-eight (48) consecutive calendar months; therefore a report submitted to the committee on the forty-eighth month of supervision is outside the statutory allowance for licensure." Therefore, NASW recommends section (12) be amended to state, "...during the twenty-fourth and fortieth months..."

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comments made by NASW and voted to accept their recommendation with minor changes.

COMMENT #4: NASW requests the committee remove section (13) from the rule completely as sections 337.615(2), 337.645(2), and 337.653.3, RSMo do not allow for any grace period or extensions to this requirement as the proposed amendment suggests.

RESPONSE: The committee appreciates the comment made by NASW, however, pursuant to section 337.627.1(8), RSMo, the committee voted to make no change to the proposed amendment.

20 CSR 2263-2.032 Registration of Supervised Social Work Experience

(5) Whenever a supervisee changes a supervisor or adds a supervisor or new setting, a change of status form, provided by the committee, shall be submitted to the committee by the supervisee. There is no fee for updating a change of supervision and/or setting, but must be submitted in writing within fourteen (14) days. Failure to submit a change will result in supervision hours not calculated towards the three thousand (3,000) hours of supervised licensed social work experience.

(12) The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee's practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2263—State Committee for Social Workers Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.630, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.045 Provisional Licenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2238-2241). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received three (3) comments on the proposed amendment.

COMMENT #1: The National Association of Social Workers (NASW) recommends adding language to subsection (3)(D) to minimize the committee's duties of promulgating new rules if the named entity, Association of Social Work Boards (ASWB), dissolves or restructures under a new business name. The new language would read as follows: "Verification of a passing score...by the ASWB, its predecessor, or an organization approved by the committee. Verification of score(s) must be sent directly to the committee office by the ASWB, its predecessor, or an organization approved by the committee."

RESPONSE: The committee appreciates the comment made by NASW, however, voted to make no change to the proposed amendment.

COMMENT #2: NASW recommends removing paragraph (3)(D)2. as an applicant for baccalaureate social work does not have the option of obtaining a provisional license, according to section 337.653, RSMo. NASW also stated that this rule conflicts with the proposed amendment language of 20 CSR 2263-2.045, subsection (1)(A).

RESPONSE: The committee appreciates the comment made by NASW, however, voted to make no change to the proposed amendment.

COMMENT #3: NASW stated that according to section 337.600(17), RSMo, a provisional licensee must comply with sections 337.615(2) and 337.615.3, RSMo, which requires "the applicant must complete three thousand (3,000) hours of supervised...and no more than forty-eight (48) consecutive calendar months..." The statute does not allow for any grace period or extensions to this requirement as proposed in this rule.

RESPONSE: The committee appreciates the comment made by NASW, however, pursuant to 337.627.1(8), RSMo, the committee voted to make no change to the proposed amendment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.653 and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-2.047 Provisional Licensed Baccalaureate Social Worker is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2242). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.630, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.050 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2242–2247). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received two (2) comments on the proposed amendment.

COMMENT #1: The National Association of Social Workers (NASW) recommends adding language to subsection (4)(D) to make the rules consistent with the levels of licensure identified in statute and to make sure all levels of licensure are included in this section. The suggested language reads as follows: (4)(D)6. Provisional licensed clinical social worker-clinical examination. (4)(D)6.A. An examination taken before the completion of the supervised work experience is acceptable.

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comments made by NASW and voted to accept their recommendation with minor changes.

COMMENT #2: NASW stated that, as proposed, 20 CSR 2263-2.050 (3) removes all of the language in the current section (3). Therefore current subsections (3)(B), (3)(E), and (3)(F) would need to be included under the new section (4).

RESPONSE: The committee appreciates the comment made by NASW, however, voted to make no change to the proposed amendment. The aforementioned subsections are still in the text of the rule and were printed in the *Missouri Register* as renumbered subsections

(4)(B), (4)(E), and (4)(F).

20 CSR 2263-2.050 Application for Licensure as a Social Worker

(4) The following documents shall be on file for an application to be considered complete and officially filed:

(D) Verification of a passing score, as determined by the committee, on the examination administered by the Association of Social Work Boards (ASWB). Verification of score(s) shall be sent directly to the committee office by the ASWB; The required examinations are:

1. Licensed baccalaureate social worker—bachelors examination;
2. Licensed baccalaureate social worker independent practice—bachelors examination;
3. Licensed masters social worker—masters examination;
4. Licensed advanced macro social worker—advanced generalist examination.

A. An examination taken before the completion of the supervised work experience is not acceptable;

5. Licensed clinical social worker—clinical examination.

A. An examination taken before the completion of the supervised work experience is not acceptable; and

6. Provisional licensed clinical social worker—master examination.

A. An examination taken before the completion of the supervised work experience is acceptable; and

**Title 20—DEPARTMENT OF INSURANCE,
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REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-2.052 Application for Licensure as a Licensed Baccalaureate Social Worker is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2248). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.630, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.060 Licensure by Reciprocity is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2248). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-2.062 Licensure by Reciprocity as a Licensed Baccalaureate Social Worker **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2248-2249). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.627, and 337.630, RSMo Supp. 2009 and section 337.621, RSMo 2000, the board rescinds a rule as follows:

20 CSR 2263-2.070 Temporary Permits for Licensed Clinical Social Workers **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2249). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.627, and 337.630, RSMo Supp. 2009 and section 337.621, RSMo 2000, the board adopts a rule as follows:

20 CSR 2263-2.070 Temporary Permits for Licensed Social Workers **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2249-2252). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.665 and 337.671, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-2.072 Temporary Permits for Licensed Baccalaureate Social Workers **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2253). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.618, 337.627, and 337.630, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.075 Renewal of License **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2253). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
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Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.082 Continuing Education is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2253–2255). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received five (5) comments on the proposed amendment.

COMMENT #1: Kim Thomas, masters social worker (MSW), licensed clinical social worker (LCSW), commented that according to this rule only fifteen (15) of the thirty (30) continuing education units (CEUs) are allowed to be completed online. Ms. Thomas stated that several online courses appear to be very beneficial to her practice. Ms. Thomas also stated that available workshops are often limited, given the area they are provided in as well as topic/clinical issues, and since she is self-employed, she would have to cancel several clients to attend. Ms. Thomas requests the board provide the reasoning for this requirement.

RESPONSE: The committee appreciates the comment made by Ms. Thomas, however, voted to make no change to the proposed amendment. This language was not changed by the proposed amendment; therefore, the committee did not take this comment for consideration.

COMMENT #2: The National Association of Social Workers (NASW) stated that clarifying what types of ethics courses are acceptable for the licensee will minimize confusion. NASW suggested adding language as follows to section (2): “complete three (3) clock hours of ethics either through formal or self-study courses presented...”

RESPONSE: The committee appreciates the comment made by NASW, however, the portion of section (2) this comment refers to was not changed from the original rule; therefore, the committee voted to make no change to the proposed amendment.

COMMENT #3: NASW questions how a licensee shows or submits proof to the committee showing completion of the three (3) clock hours of ethics presented by a professional not of the social work profession and if that professional is knowledgeable of ethics as it relates to the practice of social work.

RESPONSE: The committee appreciates the comment made by NASW, however, subsection (6)(I) states that workshops or seminars approved by certain organizations, which are listed, are acceptable, and, therefore, they voted to make no change to the proposed amendment.

COMMENT #4: NASW commented that submission of a receipt showing a licensee paid for a continuing education program does not indicate the individual actually attended the program. Attendance acknowledgement for a receipt is not to the same level as certificates or affidavits provided by the program/sponsor for the continuing education verification.

RESPONSE: The committee appreciates the comment made by NASW, however, the portion of the rule this comment refers to was not changed in the original amendment; therefore, the committee voted to make no change to the proposed amendment.

COMMENT #5: NASW suggested removing the current subsection (12)(B) and replacing it with “written verification from the university program director of the licensee’s submission of dissertation” to provide clarification to licensees who have completed a PhD dissertation of the ability to utilize the research and publication hours for continuing education.

RESPONSE: The committee appreciates the comment made by NASW, however, the portion of the rule this comment refers to was not changed in the original amendment; therefore, the committee voted to make no change to the proposed amendment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.618, 337.627, 337.630, and 337.662, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-2.085 Restoration of License is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2255). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.618, 337.627, 337.630, and 337.662, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-2.085 Restoration of License is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2255–2260). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.600, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2263-2.090 Inactive Status is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2261-2262). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.630, and 337.665, RSMo Supp. 2009 and section 337.627, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2263-3.010 Scope of Coverage and Organization
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2263). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

**20 CSR 2263-3.010 Scope of Coverage and Organization
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2263). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.630, and 337.665, RSMo Supp. 2009 and section 337.627, RSMo 2000, the board rescinds a rule as follows:

20 CSR 2263-3.020 Moral Standards is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2263). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.020 Moral Standards is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2263-2264). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received one (1) comment on the proposed rule.

COMMENT #1: The National Association of Social Workers (NASW) commented that students or supervisees are already addressed in regards to exploitation in 20 CSR 2263-3.060(5). NASW suggested replacing section (6) of this rule with the following language: "A member of the profession shall not engage in any activity that exploits clients including..."

RESPONSE: The committee appreciates the comment made by NASW, however, the portion of the rule this comment refers to was not changed from the original rule; therefore, the committee voted to make no change to the proposed rule.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, and 337.630, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-3.040 Client Relationships is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2264). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, and 337.630, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.040 Client Relationships is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2264-2265). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-3.060 Relationships with Colleagues is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2265-2266). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.060 Relationships with Colleagues is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2266). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received two (2) comments on the proposed rule.

COMMENT #1: Steve Franklin, masters social worker (MSW), licensed clinical social worker (LCSW), commented that the language in section (1) is too broad and feels it is unenforceable language. He questions that, in sections (3), (4), and (6), if a supervisee is charged for services by a supervisor, is that exploitation? If two (2) colleagues, not coworkers, fall in love, is that a sexual relationship? If someone discloses a professional relationship with a respected colleague, is that exploitation? He believes that the concepts in these sections are poorly defined, unenforceable, and provide no valuable guidance. He also stated that the requirement to "consult with an impaired social worker" is vague and unenforceable.

RESPONSE: The committee appreciates the comments from Mr. Franklin, however, this language was not changed from the original rule; therefore, the committee did not take this comment for consideration.

COMMENT #2: The National Association of Social Workers (NASW) commented that section (5) of this rule is in reference to relationships with colleagues which does not define sexual intimacies or contact, nor does it reference a section of rules in which a member of the profession who functions as a supervisor or educator can review for the definition. Therefore NASW suggested adding language mirroring that in 20 CSR 2263-3.020(6)(A)-(F).

RESPONSE: The committee appreciates the comment made by NASW, however voted to make no change to the proposed rule as "sexual intimacies" are defined in 20 CSR 2263-3.020 for the profession.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-3.080 Public Statements/Fees is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2266). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.080 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2266–2267). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received one (1) comment on the proposed rule.

COMMENT #1: The National Association of Social Workers (NASW) commented that the current wording of the proposed rule only identifies two (2) licensure levels that may not hold themselves out if their license has lapsed or been revoked. It would seem the intent of this rule would be to indicate all levels of licensure shall not hold themselves out as licensed at their level if their license has lapsed or been revoked. NASW suggested adding (i.e., “licensed clinical social worker”) to section (5) instead of listing out specific licensure types.

RESPONSE AND EXPLANATION OF CHANGE: The committee appreciates the comment made by NASW and voted to make the suggested changes to eliminate confusion.

20 CSR 2263-3.080 Public Statements/Fees

(5) Social workers whose licenses have lapsed or been revoked shall not hold themselves out to be currently licensed (i.e., “licensed clinical social worker”).

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-3.100 Confidentiality is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2267). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.100 Confidentiality is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2267–2268). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-3.120 Research on Human Subjects is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2268). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.120 Research on Human Subjects is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2268–2269). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.618, 337.627, 337.630, 337.662, and 337.665, RSMo Supp. 2009, the board rescinds a rule as follows:

20 CSR 2263-3.140 Competence is rescinded.

A notice of proposed rulemaking containing the text of the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2269). No changes have been made to the text of the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.618, 337.627, 337.630, 337.662, and 337.665, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2263-3.140 Competence is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2269). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received two (2) comments on the proposed rule.

COMMENT #1: Steve Franklin, masters social worker (MSW), licensed clinical social worker (LCSW), commented that subsections (1)(D) and (1)(E) appear to be very vague and incomprehensible and therefore unenforceable. He also commented that subsection (1)(F)'s requirement to "stress the personal risks" seems to compel the therapist to present every description of services as if each has more risk inherent than benefit. Mr. Franklin suggested requiring the professional to "explain the personal risks..." instead.

RESPONSE: The committee appreciates the comments on this rule but voted not to change the proposed rule.

COMMENT #2: The National Association of Social Workers (NASW) commented that in sections 337.600 or 337.653, RSMo, it defines a scope of practice for each level of licensure for social workers to be the same. Licensure also needs to be acknowledged in the

listing of where competences are demonstrated. Therefore, NASW recommends adding "licensure" between "training" and "or" in section (2).

RESPONSE: The committee appreciates the comment made by NASW, however, the portion of the rule this comment refers to was not changed from the original rule; therefore, the committee voted to make no change to the proposed rule.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 60—Missouri Health Facilities Review Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the expedited applications listed below. A decision is tentatively scheduled for March 24, 2010. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

02/09/10

#4477 HS: Phelps County Regional Medical Center
Rolla (Phelps County)
\$1,085,472, Replace magnetic resonance imager

02/10/10

#4479 NP: Columbia Manor Care Center
Columbia (Boone County)
\$2,924,500, Long-term care expansion through the purchase of 40 SNF beds from Grandview Manor Care Center, Grandview (Jackson County)

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by March 12, 2010. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
Post Office Box 570
Jefferson City, MO 65102

For additional information, contact
Donna Schuessler, (573) 751-6403.

STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law and whose Notice of Conviction has been filed with the Secretary of State pursuant to section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works 1) to Michael B. Robin, 2) to any other contractor or subcontractor that is owned, operated, or controlled by Mr. Robin, including Plumbco, Inc., or 3) to any other simulation of Mr. Robin or of Plumbco, Inc., for a period of one (1) year, or until December 17, 2010.

Name of Contractor	Name of Officers	Address	Date of Conviction	Debarment Period
Michael B. Robin DBA Plumbco, Inc. Case No. 09AO-CR01174		7534 Heron Drive Neosho, MO 64804	12/17/09	12/17/2009-12/17/2010

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CANNON PHOTOGRAPHY, INC.

TAKE NOTICE that Cannon Photography, Inc., a Missouri Corporation was dissolved on September 2, 2009.

All persons or organizations having claims against Cannon Photography, Inc., are requested to present them immediately in writing to Flynn & Davenport, LLC, Attorneys at Law, 104 Professional Parkway, Troy, Missouri 63379, Attn: Patrick S. Flynn.

Each claim must include: the name, telephone number and address of the claimant; the amount claimed; the basis for the claim; the date(s) on which the event(s) on which the claim as based occurred; and whether the corporation has been previously notified of the claim, and if so, when.

NOTICE: Because of the dissolution of Cannon Photography, Inc., any claims against it will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of the notices authorized by statute, whichever is published last.

NOTICE OF LLC DISSOLUTION

Notice of Limited Liability Company Dissolution to all creditors of and claimants against B.T. Associates, L.L.C.

On March 27, 2009, B.T. Associates, L.L.C., filed a Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

You are hereby notified if you believe you have a claim against B.T. Associates L.L.C., you must submit a written summary of any claims against B.T. Associates, L.L.C., including:

1. The claimants name, address and telephone number;
2. The amount of the claim;
3. Date(s) claim accrued (or will accrue);
4. Brief description of the nature of the debt or the basis for the claim; and
5. Documentation supporting the claim.

All claims should be submitted to: Deborah Dodge, 3275 E. Ridgeview, P.O. Box 4609, Springfield, Missouri 65808.

Because of the dissolution, any claims against B.T. Associates, L.L.C., will be barred unless a proceeding to enforce the claim in commenced within three (3) years after publication of this Notice.

**NOTICE OF WINDING UP
OF A CORPORATION
TO ALL CREDITORS AND CLAIMANTS
AGAINST EXPOMAX ENTERPRISES, INC.**

Notice is hereby given that Expomax Enterprises, Inc., a Missouri corporation ("Corporation"), is being liquidated and dissolved pursuant to The General Business and Corporation Law of Missouri. This notice is being given pursuant to Section 351.482 of The General Business and Corporation Law of Missouri.

All persons with claims against the Corporation should submit them in writing in accordance with this notice to: Vatterott, Shaffar & Dolan, P.C., Attn: BHL, 2458 Old Dorsett Road, Suite 230, Maryland Heights, MO 63043.

Claims against the Corporation must include: (1) the claimant's name, address and phone number, (2) the amount claimed, (3) the date the claim arose, (4) the basis of the claim, and (5) documentation supporting the claim.

A claim against the Corporation will be barred unless a proceeding to enforce the claim is enforced within two years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST RED Woodbury, LLC, a Missouri limited liability company (the "Company").**

On December 31, 2008, the Company filed its Notice of Winding Up with the Missouri Secretary of State. The effective date of the Company's dissolution was December 31, 2008.

All persons and organizations who have claims against the Company will present them immediately by letter to the Company c/o William E. Quick, Esq., Polsinelli Shughart PC, 700 West 47th Street, Suite 1000, Kansas City, Missouri 64112. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST RED Eagle, LLC, a Missouri limited liability company (the "Company").**

On December 31, 2008, the Company filed its Notice of Winding Up with the Missouri Secretary of State. The effective date of the Company's dissolution was December 31, 2008.

All persons and organizations who have claims against the Company will present them immediately by letter to the Company c/o William E. Quick, Esq., Polsinelli Shughart PC, 700 West 47th Street, Suite 1000, Kansas City, Missouri 64112. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST RED Blue Springs, LLC, a Missouri limited liability company (the "Company").**

On December 31, 2008, the Company filed its Notice of Winding Up with the Missouri Secretary of State. The effective date of the Company's dissolution was December 31, 2008.

All persons and organizations who have claims against the Company will present them immediately by letter to the Company c/o William E. Quick, Esq., Polsinelli Shughart PC, 700 West 47th Street, Suite 1000, Kansas City, Missouri 64112. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST Westminster Development Company, LLC, a Missouri limited liability company (the
“Company”).

On December 29, 2009, the Company filed its Notice of Winding Up with the Missouri
Secretary of State. The effective date of the Company’s dissolution was December 31, 2009.

All persons and organizations who have claims against the Company will present them
immediately by letter to the Company c/o William E. Quick, Esq., Polsinelli Shughart PC, 700
West 47th Street, Suite 1000, Kansas City, Missouri 64112. All claims must include the name and
address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the
event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is
commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST RED of Westminster, LLC, a Missouri limited liability company (the “Company”).

On December 29, 2009, the Company filed its Notice of Winding Up with the Missouri
Secretary of State. The effective date of the Company’s dissolution was December 31, 2009.

All persons and organizations who have claims against the Company will present them
immediately by letter to the Company c/o William E. Quick, Esq., Polsinelli Shughart PC, 700
West 47th Street, Suite 1000, Kansas City, Missouri 64112. All claims must include the name and
address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the
event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is
commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST RED Development of Little Rock, LLC, a Missouri limited liability company (the "Company").

On December 29, 2009, the Company filed its Notice of Winding Up with the Missouri Secretary of State. The effective date of the Company's dissolution was December 31, 2009.

All persons and organizations who have claims against the Company will present them immediately by letter to the Company c/o William E. Quick, Esq., Polsinelli Shughart PC, 700 West 47th Street, Suite 1000, Kansas City, Missouri 64112. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS
OF AND CLAIMANTS AGAINST MOBERLY COUNTRY CLUB, INC.**

Moberly Country Club, Inc., a Missouri corporation, was dissolved on the 8th day of January, 2010 by filing Articles of Dissolution with the Missouri Secretary of State. Any and all claims against Moberly Country Club, Inc. should be sent by mail to Charles Fleming, Secretary, Box 372, Moberly, MO 65270. Each claim should include the following:

- (1) The name, address and telephone number of the claimant;
- (2) The amount of the claim;
- (3) The basis of the claim;
- (4) The date the claim arose; and
- (5) A brief description of the nature of the debt or basis for the claim.

Any and all claims against Moberly Country Club, Inc. will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of the publication of this notice or the publication date of any other notice required by law, whichever is later.

NOTICE OF DISSOLUTION
OF
LIMITED LIABILITY COMPANY

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS:

1. The name of the dissolved limited liability company is 1908 Olive, LLC, Charter #LC0031332.
2. The articles of organization for the limited liability company were filed on 9/13/1999. 1908 Olive, LLC, has been dissolved effective January 1, 2010.
3. Persons with claims against the limited liability company should present them in accordance with the following procedure:
 - A. In order to file a claim with the limited liability company, you must furnish the following: Amount of the claim, Basis for the claim, Documentation of the claim.
 - B. Claims must be mailed to: Thomas S. Carnahan, 1430 Washington Ave., Suite 300, St. Louis, MO 63102.
4. NOTICE: A claim against the limited liability company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of the notice.

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

NOTICE OF DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
PYRAMID MEDIA AND ENTERTAINMENT GROUP, INC

On January 29, 2010, Pyramid Media and Entertainment Group, Inc., was dissolved upon the filing of their Articles of Dissolution with the Missouri Secretary of State

Pyramid Media and Entertainment Group, Inc., requests that all persons and organizations with claims against it present them immediately by letter to Allen Law Offices, LLC, attention Terry C. Allen, 612 E. Capitol Ave, PO Box 1702, Jefferson City, Mo 65102.

All claims must include: name and address of claimant, the amount claimed, the basis for the claim, and the dates on which the event(s) on which the claim is based occurred.

NOTICE: Because of the dissolution of Pyramid Media and Entertainment Group, Inc., any claims against it will be barred unless proceeding to enforce the claim is commenced within two years after this publication.

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION				
1 CSR 20-4.010	State Officials' Salary Compensation Schedule				30 MoReg 2435
	Personnel Advisory Board and Division of Personnel		35 MoReg 98		
	DEPARTMENT OF AGRICULTURE				
2 CSR 90-10	Weights and Measures				34 MoReg 1949
2 CSR 100-6.010	Missouri Agricultural and Small Business Development Authority	34 MoReg 2527	35 MoReg 7		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-4.135	Conservation Commission		34 MoReg 2364	35 MoReg 114	
3 CSR 10-5.422	Conservation Commission		34 MoReg 2364R	35 MoReg 114R	
3 CSR 10-6.410	Conservation Commission		34 MoReg 2365	35 MoReg 114	
3 CSR 10-6.550	Conservation Commission		34 MoReg 2365	35 MoReg 114	
3 CSR 10-7.455	Conservation Commission				35 MoReg 316
3 CSR 10-8.515	Conservation Commission		34 MoReg 2365	35 MoReg 114	
3 CSR 10-9.110	Conservation Commission		34 MoReg 2366	35 MoReg 115	
3 CSR 10-9.353	Conservation Commission		34 MoReg 2367	35 MoReg 115	
3 CSR 10-9.425	Conservation Commission		34 MoReg 2367	35 MoReg 115	
3 CSR 10-9.645	Conservation Commission		34 MoReg 2368	35 MoReg 115	
3 CSR 10-10.725	Conservation Commission		34 MoReg 2368	35 MoReg 115	
3 CSR 10-10.726	Conservation Commission		34 MoReg 2368	35 MoReg 115	
3 CSR 10-10.727	Conservation Commission		34 MoReg 2369	35 MoReg 116	
3 CSR 10-10.767	Conservation Commission		34 MoReg 2369	35 MoReg 116	
3 CSR 10-10.780	Conservation Commission		34 MoReg 2370R	35 MoReg 116R	
3 CSR 10-10.781	Conservation Commission		34 MoReg 2370R	35 MoReg 116R	
3 CSR 10-10.782	Conservation Commission		34 MoReg 2370R	35 MoReg 116R	
3 CSR 10-10.783	Conservation Commission		34 MoReg 2370R	35 MoReg 116R	
3 CSR 10-10.784	Conservation Commission		34 MoReg 2371R	35 MoReg 117R	
3 CSR 10-10.787	Conservation Commission		34 MoReg 2371R	35 MoReg 117R	
3 CSR 10-11.130	Conservation Commission		34 MoReg 2371	35 MoReg 117	
3 CSR 10-11.155	Conservation Commission		34 MoReg 2372	35 MoReg 117	
3 CSR 10-11.180	Conservation Commission		34 MoReg 2373	35 MoReg 117	
3 CSR 10-11.200	Conservation Commission		34 MoReg 2374	35 MoReg 117	
3 CSR 10-11.205	Conservation Commission		34 MoReg 2375	35 MoReg 118	
3 CSR 10-11.210	Conservation Commission		34 MoReg 2376	35 MoReg 118	
3 CSR 10-11.215	Conservation Commission		34 MoReg 2377	35 MoReg 118	
3 CSR 10-12.110	Conservation Commission		34 MoReg 2378	35 MoReg 118	
3 CSR 10-12.125	Conservation Commission		34 MoReg 2378	35 MoReg 118	
3 CSR 10-12.130	Conservation Commission		34 MoReg 2379	35 MoReg 118	
3 CSR 10-12.135	Conservation Commission		34 MoReg 2379	35 MoReg 119	
3 CSR 10-12.140	Conservation Commission		34 MoReg 2380	35 MoReg 119	
3 CSR 10-12.145	Conservation Commission		34 MoReg 2381	35 MoReg 119	
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 85-6.010	Division of Business and Community Services	34 MoReg 2353	34 MoReg 2381		
4 CSR 85-7.010	Division of Business and Community Services		This Issue		
4 CSR 240-3.156	Public Service Commission		35 MoReg 365		
4 CSR 240-3.190	Public Service Commission		35 MoReg 207		
4 CSR 240-3.545	Public Service Commission		35 MoReg 209		
4 CSR 240-4.020	Public Service Commission		34 MoReg 2590R		
			34 MoReg 2590		
4 CSR 240-20.100	Public Service Commission		35 MoReg 365		
4 CSR 240-33.160	Public Service Commission		35 MoReg 210		
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 50-270.010	Division of School Improvement		35 MoReg 210		
5 CSR 50-345.105	Division of School Improvement		34 MoReg 2141		
5 CSR 50-345.205	Division of School Improvement		34 MoReg 2144		
5 CSR 50-350.050	Division of School Improvement		This Issue		
5 CSR 60-100.020	Division of Career Education		35 MoReg 214		35 MoReg 59
5 CSR 80-800.200	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.220	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.260	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.270	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.280	Teacher Quality and Urban Education		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 80-800.290	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.350	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.360	Teacher Quality and Urban Education		This Issue		
5 CSR 80-800.380	Teacher Quality and Urban Education		This Issue		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 250-11.041	University of Missouri	35 MoReg 161	34 MoReg 2592		
6 CSR 250-11.042	University of Missouri		34 MoReg 2594		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-25.010	Missouri Highways and Transportation Commission				35 MoReg 316
7 CSR 10-27.010	Missouri Highways and Transportation Commission		34 MoReg 2315		
7 CSR 10-27.020	Missouri Highways and Transportation Commission		34 MoReg 2317		
7 CSR 10-27.030	Missouri Highways and Transportation Commission		34 MoReg 2319		
7 CSR 10-27.040	Missouri Highways and Transportation Commission		34 MoReg 2321		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-2.010	Division of Employment Security		34 MoReg 1985	35 MoReg 21	
8 CSR 10-3.140	Division of Employment Security		34 MoReg 2145	35 MoReg 119	
8 CSR 50-1.010	Division of Workers' Compensation		34 MoReg 2467		
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-31.011	Director, Department of Mental Health		35 MoReg 8		
9 CSR 30-4.0432	Certification Standards		34 MoReg 1986	35 MoReg 305	
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 1-3.010	Director's Office		34 MoReg 2385		
10 CSR 10-6.010	Air Conservation Commission		34 MoReg 2385		
10 CSR 10-6.040	Air Conservation Commission		34 MoReg 2387		
10 CSR 10-6.050	Air Conservation Commission		34 MoReg 2594		
10 CSR 10-6.070	Air Conservation Commission		34 MoReg 2387		
10 CSR 10-6.075	Air Conservation Commission		34 MoReg 2389		
10 CSR 10-6.080	Air Conservation Commission		34 MoReg 2392		
10 CSR 10-6.110	Air Conservation Commission		This Issue		
10 CSR 10-6.130	Air Conservation Commission		34 MoReg 2392		
10 CSR 10-6.362	Air Conservation Commission		34 MoReg 1541	35 MoReg 21	
10 CSR 10-6.364	Air Conservation Commission		34 MoReg 1548	35 MoReg 22	
10 CSR 10-6.366	Air Conservation Commission		34 MoReg 1552	35 MoReg 22	
10 CSR 10-6.390	Air Conservation Commission		34 MoReg 2145		
10 CSR 20-4.040	Clean Water Commission	34 MoReg 1326	34 MoReg 1398	35 MoReg 119	
10 CSR 20-7.015	Clean Water Commission		34 MoReg 2394		
10 CSR 20-10.010	Clean Water Commission (<i>Changed to 10 CSR 26-2.010</i>)		34 MoReg 843	35 MoReg 23W	
10 CSR 20-10.011	Clean Water Commission (<i>Changed to 10 CSR 26-2.011</i>)		34 MoReg 845	35 MoReg 24W	
10 CSR 20-10.012	Clean Water Commission (<i>Changed to 10 CSR 26-2.012</i>)		34 MoReg 845	35 MoReg 24W	
10 CSR 20-10.020	Clean Water Commission (<i>Changed to 10 CSR 26-2.020</i>)		34 MoReg 847	35 MoReg 25W	
10 CSR 20-10.021	Clean Water Commission (<i>Changed to 10 CSR 26-2.021</i>)		34 MoReg 849	35 MoReg 25W	
10 CSR 20-10.022	Clean Water Commission (<i>Changed to 10 CSR 26-2.022</i>)		34 MoReg 849	35 MoReg 26W	
10 CSR 20-10.030	Clean Water Commission (<i>Changed to 10 CSR 26-2.030</i>)		34 MoReg 850	35 MoReg 26W	
10 CSR 20-10.031	Clean Water Commission (<i>Changed to 10 CSR 26-2.031</i>)		34 MoReg 851	35 MoReg 26W	
10 CSR 20-10.032	Clean Water Commission (<i>Changed to 10 CSR 26-2.032</i>)		34 MoReg 851	35 MoReg 26W	
10 CSR 20-10.033	Clean Water Commission (<i>Changed to 10 CSR 26-2.033</i>)		34 MoReg 851	35 MoReg 26W	
10 CSR 20-10.034	Clean Water Commission (<i>Changed to 10 CSR 26-2.034</i>)		34 MoReg 852	35 MoReg 27W	
10 CSR 20-10.040	Clean Water Commission (<i>Changed to 10 CSR 26-2.040</i>)		34 MoReg 853	35 MoReg 27W	
10 CSR 20-10.041	Clean Water Commission (<i>Changed to 10 CSR 26-2.041</i>)		34 MoReg 854	35 MoReg 27W	
10 CSR 20-10.042	Clean Water Commission (<i>Changed to 10 CSR 26-2.042</i>)		34 MoReg 854	35 MoReg 27W	
10 CSR 20-10.043	Clean Water Commission (<i>Changed to 10 CSR 26-2.043</i>)		34 MoReg 855	35 MoReg 28W	
10 CSR 20-10.044	Clean Water Commission (<i>Changed to 10 CSR 26-2.044</i>)		34 MoReg 857	35 MoReg 28W	
10 CSR 20-10.045	Clean Water Commission (<i>Changed to 10 CSR 26-2.045</i>)		34 MoReg 857	35 MoReg 28W	
10 CSR 20-10.050	Clean Water Commission (<i>Changed to 10 CSR 26-2.050</i>)		34 MoReg 858	35 MoReg 28W	
10 CSR 20-10.051	Clean Water Commission (<i>Changed to 10 CSR 26-2.051</i>)		34 MoReg 862	35 MoReg 29W	
10 CSR 20-10.052	Clean Water Commission (<i>Changed to 10 CSR 26-2.052</i>)		34 MoReg 862	35 MoReg 29W	

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10 CSR 20-10.053	Clean Water Commission (<i>Changed to 10 CSR 26-2.053</i>)		34 MoReg 863	35 MoReg 29W	
10 CSR 20-10.060	Clean Water Commission (<i>Changed to 10 CSR 26-2.070</i>)		34 MoReg 866	35 MoReg 29W	
10 CSR 20-10.061	Clean Water Commission (<i>Changed to 10 CSR 26-2.071</i>)		34 MoReg 866	35 MoReg 30W	
10 CSR 20-10.062	Clean Water Commission (<i>Changed to 10 CSR 26-2.072</i>)		34 MoReg 871	35 MoReg 30W	
10 CSR 20-10.063	Clean Water Commission (<i>Changed to 10 CSR 26-2.073</i>)		34 MoReg 877	35 MoReg 31W	
10 CSR 20-10.064	Clean Water Commission (<i>Changed to 10 CSR 26-2.074</i>)		34 MoReg 877	35 MoReg 31W	
10 CSR 20-10.065	Clean Water Commission		34 MoReg 884R	35 MoReg 32W	
10 CSR 20-10.066	Clean Water Commission		34 MoReg 884R	35 MoReg 32W	
10 CSR 20-10.067	Clean Water Commission		34 MoReg 884R	35 MoReg 32W	
10 CSR 20-10.068	Clean Water Commission		34 MoReg 885R	35 MoReg 32W	
10 CSR 20-10.070	Clean Water Commission (<i>Changed to 10 CSR 26-2.060</i>)		34 MoReg 885	35 MoReg 32W	
10 CSR 20-10.071	Clean Water Commission (<i>Changed to 10 CSR 26-2.061</i>)		34 MoReg 885	35 MoReg 33W	
10 CSR 20-10.072	Clean Water Commission (<i>Changed to 10 CSR 26-2.062</i>)		34 MoReg 886	35 MoReg 33W	
10 CSR 20-10.073	Clean Water Commission (<i>Changed to 10 CSR 26-2.063</i>)		34 MoReg 890	35 MoReg 33W	
10 CSR 20-10.074	Clean Water Commission (<i>Changed to 10 CSR 26-2.064</i>)		34 MoReg 890	35 MoReg 34W	
10 CSR 20-11.090	Clean Water Commission (<i>Changed to 10 CSR 26-3.090</i>)		34 MoReg 890	35 MoReg 34W	
10 CSR 20-11.091	Clean Water Commission (<i>Changed to 10 CSR 26-3.091</i>)		34 MoReg 891	35 MoReg 34W	
10 CSR 20-11.092	Clean Water Commission (<i>Changed to 10 CSR 26-3.092</i>)		34 MoReg 891	35 MoReg 34W	
10 CSR 20-11.093	Clean Water Commission (<i>Changed to 10 CSR 26-3.093</i>)		34 MoReg 892	35 MoReg 34W	
10 CSR 20-11.094	Clean Water Commission (<i>Changed to 10 CSR 26-3.094</i>)		34 MoReg 892	35 MoReg 35W	
10 CSR 20-11.095	Clean Water Commission (<i>Changed to 10 CSR 26-3.095</i>)		34 MoReg 896	35 MoReg 35W	
10 CSR 20-11.096	Clean Water Commission (<i>Changed to 10 CSR 26-3.096</i>)		34 MoReg 897	35 MoReg 35W	
10 CSR 20-11.097	Clean Water Commission (<i>Changed to 10 CSR 26-3.097</i>)		34 MoReg 900	35 MoReg 35W	
10 CSR 20-11.098	Clean Water Commission (<i>Changed to 10 CSR 26-3.098</i>)		34 MoReg 903	35 MoReg 35W	
10 CSR 20-11.099	Clean Water Commission (<i>Changed to 10 CSR 26-3.099</i>)		34 MoReg 906	35 MoReg 36W	
10 CSR 20-11.101	Clean Water Commission (<i>Changed to 10 CSR 26-3.101</i>)		34 MoReg 908	35 MoReg 36W	
10 CSR 20-11.102	Clean Water Commission (<i>Changed to 10 CSR 26-3.102</i>)		34 MoReg 908	35 MoReg 36W	
10 CSR 20-11.103	Clean Water Commission (<i>Changed to 10 CSR 26-3.103</i>)		34 MoReg 909	35 MoReg 36W	
10 CSR 20-11.104	Clean Water Commission (<i>Changed to 10 CSR 26-3.104</i>)		34 MoReg 914	35 MoReg 36W	
10 CSR 20-11.105	Clean Water Commission (<i>Changed to 10 CSR 26-3.105</i>)		34 MoReg 914	35 MoReg 37W	
10 CSR 20-11.106	Clean Water Commission (<i>Changed to 10 CSR 26-3.106</i>)		34 MoReg 915	35 MoReg 37W	
10 CSR 20-11.107	Clean Water Commission (<i>Changed to 10 CSR 26-3.107</i>)		34 MoReg 915	35 MoReg 37W	
10 CSR 20-11.108	Clean Water Commission (<i>Changed to 10 CSR 26-3.108</i>)		34 MoReg 918	35 MoReg 37W	
10 CSR 20-11.109	Clean Water Commission (<i>Changed to 10 CSR 26-3.109</i>)		34 MoReg 920	35 MoReg 37W	
10 CSR 20-11.110	Clean Water Commission (<i>Changed to 10 CSR 26-3.110</i>)		34 MoReg 920	35 MoReg 37W	
10 CSR 20-11.111	Clean Water Commission (<i>Changed to 10 CSR 26-3.111</i>)		34 MoReg 921	35 MoReg 38W	
10 CSR 20-11.112	Clean Water Commission (<i>Changed to 10 CSR 26-3.112</i>)		34 MoReg 921	35 MoReg 38W	
10 CSR 20-11.113	Clean Water Commission (<i>Changed to 10 CSR 26-3.113</i>)		34 MoReg 925	35 MoReg 38W	
10 CSR 20-11.114	Clean Water Commission (<i>Changed to 10 CSR 26-3.114</i>)		34 MoReg 928	35 MoReg 38W	
10 CSR 20-11.115	Clean Water Commission (<i>Changed to 10 CSR 26-3.115</i>)		34 MoReg 935	35 MoReg 38W	
10 CSR 20-13.080	Clean Water Commission (<i>Changed to 10 CSR 26-4.080</i>)		34 MoReg 937	35 MoReg 39W	
10 CSR 20-15.010	Clean Water Commission (<i>Changed to 10 CSR 26-5.010</i>)		34 MoReg 937		

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10 CSR 20-15.020	Clean Water Commission (<i>Changed to 10 CSR 26-5.020</i>)		34 MoReg 938		
10 CSR 20-15.030	Clean Water Commission (<i>Changed to 10 CSR 26-5.030</i>)		34 MoReg 938		
10 CSR 25-19.010	Hazardous Waste Management Commission	34 MoReg 1535	34 MoReg 1553	This Issue	
10 CSR 26-1.010	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 939	35 MoReg 39W	
10 CSR 26-2.010	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.010</i>)		34 MoReg 843	35 MoReg 23W	
10 CSR 26-2.011	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.011</i>)		34 MoReg 845	35 MoReg 24W	
10 CSR 26-2.012	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.012</i>)		34 MoReg 845	35 MoReg 24W	
10 CSR 26-2.020	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.020</i>)		34 MoReg 847	35 MoReg 25W	
10 CSR 26-2.021	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.021</i>)		34 MoReg 849	35 MoReg 25W	
10 CSR 26-2.022	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.022</i>)		34 MoReg 849	35 MoReg 26W	
10 CSR 26-2.030	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.030</i>)		34 MoReg 850	35 MoReg 26W	
10 CSR 26-2.031	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.031</i>)		34 MoReg 851	35 MoReg 26W	
10 CSR 26-2.032	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.032</i>)		34 MoReg 851	35 MoReg 26W	
10 CSR 26-2.033	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.033</i>)		34 MoReg 851	35 MoReg 26W	
10 CSR 26-2.034	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.034</i>)		34 MoReg 852	35 MoReg 27W	
10 CSR 26-2.040	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.040</i>)		34 MoReg 853	35 MoReg 27W	
10 CSR 26-2.041	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.041</i>)		34 MoReg 854	35 MoReg 27W	
10 CSR 26-2.042	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.042</i>)		34 MoReg 854	35 MoReg 27W	
10 CSR 26-2.043	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.043</i>)		34 MoReg 855	35 MoReg 28W	
10 CSR 26-2.044	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.044</i>)		34 MoReg 857	35 MoReg 28W	
10 CSR 26-2.045	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.045</i>)		34 MoReg 857	35 MoReg 28W	
10 CSR 26-2.050	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.050</i>)		34 MoReg 858	35 MoReg 28W	
10 CSR 26-2.051	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.051</i>)		34 MoReg 862	35 MoReg 29W	
10 CSR 26-2.052	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.052</i>)		34 MoReg 862	35 MoReg 29W	
10 CSR 26-2.053	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.053</i>)		34 MoReg 863	35 MoReg 29W	
10 CSR 26-2.060	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.070</i>)		34 MoReg 885	35 MoReg 32W	
10 CSR 26-2.061	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.071</i>)		34 MoReg 885	35 MoReg 33W	
10 CSR 26-2.062	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.072</i>)		34 MoReg 886	35 MoReg 33W	
10 CSR 26-2.063	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.073</i>)		34 MoReg 890	35 MoReg 33W	
10 CSR 26-2.064	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.074</i>)		34 MoReg 890	35 MoReg 34W	
10 CSR 26-2.070	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.060</i>)		34 MoReg 866	35 MoReg 29W	
10 CSR 26-2.071	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.061</i>)		34 MoReg 866	35 MoReg 30W	
10 CSR 26-2.072	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.062</i>)		34 MoReg 871	35 MoReg 30W	
10 CSR 26-2.073	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.063</i>)		34 MoReg 877	35 MoReg 31W	
10 CSR 26-2.074	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.064</i>)		34 MoReg 877	35 MoReg 31W	
10 CSR 26-2.075	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 939	35 MoReg 39W	
10 CSR 26-2.076	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 956	35 MoReg 41W	
10 CSR 26-2.077	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 968	35 MoReg 44W	
10 CSR 26-2.078	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 978	35 MoReg 45W	
10 CSR 26-2.079	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 991	35 MoReg 45W	
10 CSR 26-2.080	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 1004	35 MoReg 48W	
10 CSR 26-2.081	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 1009	35 MoReg 49W	
10 CSR 26-2.082	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 1020	35 MoReg 53W	
10 CSR 26-3.090	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.090</i>)		34 MoReg 890	35 MoReg 34W	
10 CSR 26-3.091	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.091</i>)		34 MoReg 891	35 MoReg 34W	

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10 CSR 26-3.092	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.092</i>)		34 MoReg 891	35 MoReg 34W	
10 CSR 26-3.093	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.093</i>)		34 MoReg 892	35 MoReg 34W	
10 CSR 26-3.094	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.094</i>)		34 MoReg 892	35 MoReg 35W	
10 CSR 26-3.095	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.095</i>)		34 MoReg 896	35 MoReg 35W	
10 CSR 26-3.096	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.096</i>)		34 MoReg 897	35 MoReg 35W	
10 CSR 26-3.097	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.097</i>)		34 MoReg 900	35 MoReg 35W	
10 CSR 26-3.098	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.098</i>)		34 MoReg 903	35 MoReg 35W	
10 CSR 26-3.099	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.099</i>)		34 MoReg 906	35 MoReg 36W	
10 CSR 26-3.101	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.101</i>)		34 MoReg 908	35 MoReg 36W	
10 CSR 26-3.102	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.102</i>)		34 MoReg 908	35 MoReg 36W	
10 CSR 26-3.103	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.103</i>)		34 MoReg 909	35 MoReg 36W	
10 CSR 26-3.104	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.104</i>)		34 MoReg 914	35 MoReg 36W	
10 CSR 26-3.105	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.105</i>)		34 MoReg 914	35 MoReg 37W	
10 CSR 26-3.106	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.106</i>)		34 MoReg 915	35 MoReg 37W	
10 CSR 26-3.107	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.107</i>)		34 MoReg 915	35 MoReg 37W	
10 CSR 26-3.108	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.108</i>)		34 MoReg 918	35 MoReg 37W	
10 CSR 26-3.109	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.109</i>)		34 MoReg 920	35 MoReg 37W	
10 CSR 26-3.110	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.110</i>)		34 MoReg 920	35 MoReg 37W	
10 CSR 26-3.111	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.111</i>)		34 MoReg 921	35 MoReg 38W	
10 CSR 26-3.112	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.112</i>)		34 MoReg 921	35 MoReg 38W	
10 CSR 26-3.113	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.113</i>)		34 MoReg 925	35 MoReg 38W	
10 CSR 26-3.114	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.114</i>)		34 MoReg 928	35 MoReg 38W	
10 CSR 26-3.115	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-II.115</i>)		34 MoReg 935	35 MoReg 38W	
10 CSR 26-4.080	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-13.080</i>)		34 MoReg 937	35 MoReg 39W	
10 CSR 26-5.010	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-15.010</i>)		34 MoReg 937		
10 CSR 26-5.020	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-15.020</i>)		34 MoReg 938		
10 CSR 26-5.030	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-15.030</i>)		34 MoReg 938		
10 CSR 60-13.020	Safe Drinking Water Commission	34 MoReg 1393	34 MoReg 1561	34 MoReg 2602	
10 CSR 70-4.010	Soil and Water Districts Commission		35 MoReg 214R 35 MoReg 214		
10 CSR 70-5.010	Soil and Water Districts Commission	34 MoReg 1779	35 MoReg 216R 35 MoReg 216		
10 CSR 70-5.020	Soil and Water Districts Commission	34 MoReg 1780			
10 CSR 70-5.030	Soil and Water Districts Commission	34 MoReg 1782			
10 CSR 70-5.040	Soil and Water Districts Commission	34 MoReg 1783	35 MoReg 217R 35 MoReg 217		
10 CSR 70-5.050	Soil and Water Districts Commission	34 MoReg 1785	35 MoReg 217R 35 MoReg 217		
10 CSR 70-5.060	Soil and Water Districts Commission	34 MoReg 1786	35 MoReg 219R 35 MoReg 219		
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 40-2.010	Division of Fire Safety		34 MoReg 1570	35 MoReg 53	
11 CSR 40-2.015	Division of Fire Safety		34 MoReg 1572	35 MoReg 53	
11 CSR 40-2.022	Division of Fire Safety		34 MoReg 1573	35 MoReg 54	
11 CSR 40-2.030	Division of Fire Safety		34 MoReg 1574	35 MoReg 54	
11 CSR 40-2.040	Division of Fire Safety		34 MoReg 1575	35 MoReg 55	
11 CSR 40-2.061	Division of Fire Safety		34 MoReg 1578	35 MoReg 56	
11 CSR 45-4.020	Missouri Gaming Commission		34 MoReg 1797	35 MoReg 390	
11 CSR 45-4.190	Missouri Gaming Commission		34 MoReg 1797	35 MoReg 390	
11 CSR 45-4.200	Missouri Gaming Commission		34 MoReg 1797	35 MoReg 391	
11 CSR 45-4.500	Missouri Gaming Commission		34 MoReg 1798	35 MoReg 391	
11 CSR 45-4.510	Missouri Gaming Commission		34 MoReg 1798	35 MoReg 392	

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11 CSR 45-4.520	Missouri Gaming Commission		34 MoReg 1801	35 MoReg 392	
11 CSR 45-4.530	Missouri Gaming Commission		34 MoReg 1801	35 MoReg 393	
11 CSR 45-4.540	Missouri Gaming Commission		34 MoReg 1802	35 MoReg 394	
11 CSR 45-10.040	Missouri Gaming Commission		35 MoReg 99		
11 CSR 45-11.020	Missouri Gaming Commission	35 MoReg 85	35 MoReg 100		
11 CSR 45-11.030	Missouri Gaming Commission	35 MoReg 86	35 MoReg 103		
11 CSR 45-11.050	Missouri Gaming Commission	35 MoReg 86	35 MoReg 103		
11 CSR 45-11.070	Missouri Gaming Commission	35 MoReg 87	35 MoReg 103		
11 CSR 45-11.130	Missouri Gaming Commission	35 MoReg 88	35 MoReg 104		
11 CSR 45-12.010	Missouri Gaming Commission		This Issue		
11 CSR 50-2.320	Missouri State Highway Patrol		34 MoReg 1990	35 MoReg 56	
DEPARTMENT OF REVENUE					
12 CSR 10-2.045	Director of Revenue		35 MoReg 13		
12 CSR 10-41.010	Director of Revenue	34 MoReg 2528	34 MoReg 2536		
12 CSR 10-110.900	Director of Revenue		34 MoReg 2467		
12 CSR 30-3.010	State Tax Commission		35 MoReg 220		
12 CSR 30-3.025	State Tax Commission		35 MoReg 220		
12 CSR 30-4.010	State Tax Commission		35 MoReg 221		
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 70-3.030	MO HealthNet Division		34 MoReg 1990	35 MoReg 56	
13 CSR 70-3.100	MO HealthNet Division		34 MoReg 1993	35 MoReg 56	
13 CSR 70-10.110	MO HealthNet Division	35 MoReg 5	35 MoReg 13		
13 CSR 70-15.010	MO HealthNet Division	35 MoReg 161	34 MoReg 1802	35 MoReg 306	
13 CSR 70-15.110	MO HealthNet Division	35 MoReg 5	35 MoReg 17		
13 CSR 70-20.034	MO HealthNet Division		34 MoReg 1994	35 MoReg 56	
13 CSR 70-20.320	MO HealthNet Division	35 MoReg 6	35 MoReg 19		
13 CSR 70-35.010	MO HealthNet Division		34 MoReg 1994	35 MoReg 56	
13 CSR 70-40.010	MO HealthNet Division		34 MoReg 1996	35 MoReg 57	
13 CSR 70-90.010	MO HealthNet Division		34 MoReg 1998	35 MoReg 57	
13 CSR 70-90.020	MO HealthNet Division		34 MoReg 2000	35 MoReg 57	
13 CSR 70-95.010	MO HealthNet Division		34 MoReg 2000	35 MoReg 57	
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15 CSR 30-45.040	Secretary of State		34 MoReg 1488		
15 CSR 40-4.010	State Auditor		35 MoReg 224		
15 CSR 40-4.020	State Auditor		35 MoReg 224		
15 CSR 40-4.030	State Auditor		35 MoReg 225		
15 CSR 40-4.040	State Auditor		35 MoReg 225		
15 CSR 50-2.050	Treasurer	34 MoReg 2528	34 MoReg 2540		
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16 CSR 10-5.010	The Public School Retirement System of Missouri		35 MoReg 226		
16 CSR 10-5.020	The Public School Retirement System of Missouri		35 MoReg 227		
16 CSR 10-6.060	The Public School Retirement System of Missouri		35 MoReg 227		
16 CSR 10-6.070	The Public School Retirement System of Missouri		35 MoReg 228		
16 CSR 20-2.080	Missouri Local Government Employees' Retirement System (LAGERS)		35 MoReg 104R 35 MoReg 105		
16 CSR 20-2.105	Missouri Local Government Employees' Retirement System (LAGERS)		34 MoReg 2595		
16 CSR 50-2.010	The County Employees' Retirement Fund		This Issue		
16 CSR 50-2.035	The County Employees' Retirement Fund		34 MoReg 2146	35 MoReg 312	
16 CSR 50-2.120	The County Employees' Retirement Fund		This Issue		
16 CSR 50-2.130	The County Employees' Retirement Fund		This Issue		
16 CSR 50-10.010	The County Employees' Retirement Fund		This Issue		
16 CSR 50-10.050	The County Employees' Retirement Fund		This Issue		
16 CSR 50-10.060	The County Employees' Retirement Fund		This Issue		
16 CSR 50-20.070	The County Employees' Retirement Fund		This Issue		
16 CSR 50-20.080	The County Employees' Retirement Fund		This Issue		
16 CSR 50-20.120	The County Employees' Retirement Fund		This Issue		
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18 CSR 10-2.010	Office of State Public Defender				35 MoReg 396RAN
18 CSR 10-4.010	Office of State Public Defender				35 MoReg 396RAN
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 20-28	Division of Community and Public Health				34 MoReg 2432
19 CSR 30-40.342	Division of Regulation and Licensure		34 MoReg 2147	This Issue	
19 CSR 30-70.650	Division of Regulation and Licensure		34 MoReg 1729	35 MoReg 119	
19 CSR 60-50	Missouri Health Facilities Review Committee				35 MoReg 126 35 MoReg 317 This Issue
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Construction Claims Binding Arbitration Cap				33 MoReg 150 33 MoReg 2446
20 CSR	Medical Malpractice				31 MoReg 616 32 MoReg 545

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20 CSR	Sovereign Immunity Limits				33 MoReg 150 33 MoReg 2446 35 MoReg 318
20 CSR	State Legal Expense Fund Cap				32 MoReg 668 33 MoReg 150 33 MoReg 2446
20 CSR 200-1.005	Insurance Solvency and Company Regulation		34 MoReg 1738	35 MoReg 57	
20 CSR 200-1.030	Insurance Solvency and Company Regulation		34 MoReg 1738	35 MoReg 58	
20 CSR 200-1.105	Insurance Solvency and Company Regulation		34 MoReg 2154	35 MoReg 312	
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4 CSR 85-6.010	Recovery Zone Bond Allocation, Waiver, and Reallocation34 MoReg 2353Sept. 28, 2009	March 26, 2010
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10-17	Establishes a Missouri Emancipation Day Commission to promote, consider, and recommend appropriate activities for the annual recognition and celebration of Emancipation Day	Feb. 2, 2010	Next Issue
10-16	Transfers the scholarship portion of the A+ Schools Program from the Missouri Department of Elementary and Secondary Education to the Missouri Department of Higher Education	Jan. 29, 2010	This Issue
10-15	Transfers the Breath Alcohol Program from the Missouri Department of Transportation to the Missouri Department of Health and Senior Services	Jan. 29, 2010	This Issue
10-14	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 29, 2010	This Issue
10-13	Directs the Department of Social Services to disband the Missouri Task Force on Youth Aging Out of Foster Care	Jan. 15, 2010	35 MoReg 364
10-12	Rescinds Executive Orders 98-14, 95-21, 95-17, and 94-19 and terminates the Governor's Commission on Driving While Intoxicated and Impaired Driving	Jan. 15, 2010	35 MoReg 363
10-11	Rescinds Executive Order 05-41 and terminates the Governor's Advisory Council for Veterans Affairs and assigns its duties to the Missouri Veterans Commission	Jan. 15, 2010	35 MoReg 362
10-10	Rescinds Executive Order 01-08 and terminates the Personal Independence Commission and assigns its duties to the Governor's Council on Disability	Jan. 15, 2010	35 MoReg 361
10-09	Rescinds Executive Orders 95-10, 96-11, and 98-13 and terminates the Governor's Council on AIDS and transfers their duties to the Statewide HIV/STD Prevention Community Planning Group within the Department of Health and Senior Services	Jan. 15, 2010	35 MoReg 360
10-08	Rescinds Executive Order 04-07 and terminates the Missouri Commission on Patient Safety	Jan. 15, 2010	35 MoReg 358
10-07	Rescinds Executive Order 01-16 and terminates the Missouri Commission on Intergovernmental Cooperation	Jan. 15, 2010	35 MoReg 357
10-06	Rescinds Executive Order 05-13 and terminates the Governor's Advisory Council on Plant Biotechnology and assigns its duties to the Missouri Technology Corporation	Jan. 15, 2010	35 MoReg 356
10-05	Rescinds Executive Order 95-28 and terminates the Missouri Board of Geographic Names	Jan. 15, 2010	35 MoReg 355
10-04	Rescinds Executive Order 03-10 and terminates the Missouri Energy Policy Council	Jan. 15, 2010	35 MoReg 354
10-03	Rescinds Executive Order 03-01 and terminates the Missouri Lewis and Clark Bicentennial Commission	Jan. 15, 2010	35 MoReg 353
10-02	Rescinds Executive Order 07-29 and terminates the Governor's Advisory Council on Aging and assigns its duties to the State Board of Senior Services	Jan. 15, 2010	35 MoReg 352
10-01	Rescinds Executive Order 01-15 and terminates the Missouri Commission on Total Compensation	Jan. 15, 2010	35 MoReg 351

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09-29	Outlines the suspension of federal commercial motor vehicle and driver laws during emergency declarations. Executive Orders 07-01 and 08-40 are superceded and replaced on February 1, 2010	December 31, 2009	35 MoReg 205
09-28	Establishes the post of Missouri Poet Laureate. Executive order 08-01 is superceded and replaced	December 24, 2009	35 MoReg 203
09-27	Creates the Missouri Office of Health Information Technology, referred to as MO-HITECH. Executive Order 06-03 is rescinded	November 4, 2009	34 MoReg 2587
09-26	Advises that state offices will be closed November 27, 2009	October 30, 2009	34 MoReg 2466
09-25	Creates the governor's faith-based and community service partnership for disaster recovery	September 21, 2009	34 MoReg 2361
09-24	Creates the prompt pay for a healthy Missouri project	September 11, 2009	34 MoReg 2313
09-23	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	September 1, 2009	34 MoReg 2139
09-22	Appoints the Home Building and Residential Energy Efficiency Advisory panel to issue recommendations on energy efficiency measures for the home building sector and consumers	August 20, 2009	34 MoReg 2137

**Executive
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09-21	Declares a state of emergency exists in the state of Missouri and directs that Missouri State Emergency Operations Plan remain activated	May 14, 2009	34 MoReg 1332
09-20	Gives the director of the Missouri Department of Natural Resources full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period	May 12, 2009	34 MoReg 1331
09-19	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	May 8, 2009	34 MoReg 1329
09-18	Orders that all state agencies whose building management falls under the direction of the Office of Administration shall institute policies that will result in reductions of energy consumption of two percent per year for each of the next ten years	April 23, 2009	34 MoReg 1273
09-17	Creates the Transform Missouri Project as well as the Taxpayer Accountability, Compliance, and Transparency Unit, and rescinds Executive Order 09-12	March 31, 2009	34 MoReg 828
09-16	Directs the Department of Corrections to lead a permanent, interagency steering team for the Missouri Reentry Process	March 26, 2009	34 MoReg 826
09-15	Expands the Missouri Automotive Jobs Task Force to consist of 18 members	March 24, 2009	34 MoReg 824
09-14	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	March 5, 2009	34 MoReg 761
09-13	Extends Executive Order 09-04 and Executive Order 09-07 through March 31, 2009	February 25, 2009	34 MoReg 657
09-12	Creates and establishes the Transform Missouri Initiative	February 20, 2009	34 MoReg 655
09-11	Orders the Department of Health and Senior Services and the Department of Social Services to transfer the Blindness Education, Screening and Treatment Program (BEST) to the Department of Social Services	February 4, 2009	34 MoReg 590
09-10	Orders the Department of Elementary and Secondary Education and the Department of Economic Development to transfer the Missouri Customized Training Program to the Department of Economic Development	February 4, 2009	34 MoReg 588
09-09	Transfers the various scholarship programs under the Departments of Agriculture, Elementary and Secondary Education, Higher Education, and Natural Resources to the Department of Higher Education	February 4, 2009	34 MoReg 585
09-08	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	February 2, 2009	34 MoReg 366
09-07	Gives the director of the Missouri Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on January 26	January 30, 2009	34 MoReg 364
09-06	Activates the state militia in response to the aftermath of severe storms that began on January 26	January 28, 2009	34 MoReg 362
09-05	Establishes a Complete Count Committee for the 2010 Census	January 27, 2009	34 MoReg 359
09-04	Declares a state of emergency and activates the Missouri State Emergency Operations Plan	January 26, 2009	34 MoReg 357
09-03	Directs the Missouri Department of Economic Development, working with the Missouri Development Finance Board, to create a pool of funds designated for low-interest and no-interest direct loans for small business	January 13, 2009	34 MoReg 281
09-02	Creates the Economic Stimulus Coordination Council	January 13, 2009	34 MoReg 279
09-01	Creates the Missouri Automotive Jobs Task Force	January 13, 2009	34 MoReg 277

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